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Legislative Journal.

Session 1961.

145th of the General Assembly.

Vol. 38.

HARRISBURG, PA., TUESDAY, JUNE 20, 1961.

No. 64.

SENATE

TUESDAY, JUNE 20, 1961.

The Senate met at 1:00 p.m., Eastern Standard Time.

The PRESIDENT (Lieutenant Governor John Morgan Davis) in the Chair.

PRAYER

The Chaplain, Rabbi MORRIS PICKHOLZ, Congregation Bnai Jeshurun Ahavas Chesed, Philadelphia, offered the following prayer:

Almighty God and Creator of man, once again, as we open this Session of the highest legislative body of the Commonwealth of Pennsylvania, we look to Thee for divine guidance. We are aware that in these deliberations, our democratic way of life receives its highest and noblest expression. Grant, therefore, we pray Thee, of Thy divine wisdom to these men who represent Thy people in man's struggle to achieve a better world.

May they always be aware of the tremendous responsibilities they shoulder, and may they discuss the agenda with wisdom and intelligence in the light of Thy eternal truths. Bless them, we beseech Thee, O Lord, with sincerity and devotion so that the trust and confidence of the citizens of this great Commonwealth achieve their ultimate goals.

May this august Body recognize that they are in a unique position of service to man, and that they continue Thy work by using the God-given right to make laws for a better and peaceful world.

Cast, therefore, upon them, we pray Thee, the rays of Thy divine guidance so that they may, in full measure, give of their earnestness and intelligence to these problems which face them today. Spread Thy tabernacle of peace over us and over all mankind. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. LANE and Mr. DEVLIN, further reading was dispensed with, and the Journal was approved.

NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communications in writing from His Excel-

lency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

MEMBER OF THE BOARD OF TRUSTEES OF MILLERSVILLE STATE COLLEGE

June 20, 1961.

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Raymond S. Hovis, R. D. 2, York, York County, for reappointment as a member of the Board of Trustees of Millersville State College, until the third Tuesday of January 1967, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE

MEMBERS OF THE BOARD OF TRUSTEES OF SELINGSGROVE STATE SCHOOL

June 20, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Selingsgrove State School, until the third Tuesday of January 1967, and until their successors are appointed and qualified:

Clinton F. Bashore, Port Royal, Juniata County.

C. Olan Dimm, R. D. 2, Mifflintown, Juniata County.

W. Andrew Zendt, Mifflin, Juniata County.

DAVID L. LAWRENCE

MEMBER OF THE BOARD OF TRUSTEES OF CHEYNEY STATE COLLEGE

June 20, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Alfred H. Williams, 216 North Providence Road, Wallingford, Delaware County, for reappointment as a member of the Board of Trustees of Cheyney State College, until the third Tuesday of January 1967, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE

MEMBER OF THE YORK COUNTY BOARD OF ASSISTANCE

June 20, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John J. Angelo (Republican), 146 Sharon Drive, York, York

County, for appointment as a member of the York County Board of Assistance, until December 31, 1962, and until his successor is duly appointed and qualified, vice Mrs. Edna Blumenthal, Hanover, resigned.

DAVID L. LAWRENCE

GENERAL COMMUNICATION

The PRESIDENT laid before the Senate the following communication:

COMMONWEALTH OF PENNSYLVANIA
OFFICE OF THE ATTORNEY GENERAL
HARRISBURG

June 3, 1961

Hon. John Morgan Davis
Lieutenant Governor, Commonwealth of
Pennsylvania
Harrisburg, Penna.

My dear Governor Davis:

I have not received the transcript of the unwarranted attack on me made by Senator Donolow in the Senate on June 1, 1961.

On the basis of the information I have received from responsible sources, I have written him a reply, copy of which I am attaching for your information.

I respectfully ask for equal time to discuss this matter on the floor of the Senate. I know that you would not want to be a party to an injustice.

Sincerely,
Anne X. Alpern,
Attorney General

COMMONWEALTH OF PENNSYLVANIA
OFFICE OF THE ATTORNEY GENERAL
HARRISBURG

June 3, 1961

Honorable Benjamin R. Donolow,
Seat 21, Senate
Harrisburg, Pennsylvania.

My dear Senator Donolow:

Many of your colleagues have interrupted their laughter long enough to tell me some of the ungallant comments you made about me in the Senate. The transcript is not available. It is an elementary principle of self-defense that a low blow must be answered before time dulls the edges of its impact. May I, therefore, make the following observations:

1. I am sure you did not realize the unmanliness of attacking me without giving me a chance to hear and reply. There have been other more memorable soliloquies. It is ironic that Hamlet's Soliloquy touches upon the very issue that impelled your remarks. You will recall that Hamlet stated that he was ready to shuffle off this mortal coil because he could not stand, among other things, the "insolence of office . . . and the law's delay."

The Pennsylvania Constitution in Article one, section eleven, guarantees justice without delay. This is fundamental to our democracy. It is the basis for the Court Administrators Bill which will give a blood transfusion to the business operation of the Courts and help achieve the speedy justice required under our Constitution.

2. Your speech was seemingly prompted by my answer to a question from a reporter of the Philadelphia Evening Bulletin. He asked your motives in offering amendments to the Court Administrators Bill. I stated—generously, I thought—that I did not know your motives since you were from Philadelphia and the Philadelphia Judges had approved the Bill. I added that on Capitol Hill, Death-by-Amendment was a known technique for

defeating a Bill's passage. You had just been engaged in hearings on Capital Punishment and I thought you were confusing the two issues.

The headline in the Bulletin stated that I accused you of attempting to kill the Administrators Bill. The headline was more graphic than my own statement. The Court Administrators Bill is not dead—there is no reason for getting into a lament on Who Killed Cock Robin. I still believe the Bill will pass since it is in the public interest and the Senators of Pennsylvania would want to pass legislation so needed for the protection of the people.

You had never evidenced any interest in Court Administration previously. In 1959, a Court Administrators Bill covering the entire State was introduced by this Department. It never got out of Committee in the House. You were on the Judiciary General Committee and you could have readily sponsored a companion bill. Apparently, you were not interested in the problem then. The present Bill, limited to the metropolitan areas of Philadelphia and Pittsburgh, where the backlog of untried cases is most critical, was drafted in accordance with the express wishes of Chief Justice Charles Alvin Jones. All provisions of the Bill were approved by him.

3. Do not call me Sister Anne. I respectfully request that you get off our family tree or someone will cut off the limb. I would be disturbed at what might happen to you should you fall from the heights of your own oratory.

4. I am informed by my own CIA that you mentioned casually that I was a hardworking Attorney General and referred to the opening of the Barnes Gallery by the efforts of the Justice Department. The Gallery had been closed for 38 years under a Trust Agreement and 3 Court decisions. I gathered you are not an admirer of Renoir and Picasso and not too impressed with this achievement or any of the other major victories of the Department of Justice. You did not refer to the doors I helped close—the doors to the jail in Schuylkill County. I have tried consistently not to operate in a revolving door which goes in circles and leads nowhere. My own course is clear and direct—the achievement of justice.

I respectfully ask for equal time to reply to your unwarranted remarks. In this Twentieth Century, we find the Great Debates more stimulating than ex parte oratorical fireworks. I offer to debate the question of Court Administration with you any day, any hour, between sunrise and midnight. You may bring your Seconds. I will come alone, fortified by the integrity of my position.

Sincerely,
/s/ Anne X. Alpern
Anne X. Alpern,
Attorney General

The PRESIDENT. This communication will appear in the Journal.

(For remarks by Senator Benjamin R. Donolow, referred to in the preceding communication, please see Senate Journal of June 1, 1961, Page 1936.)

REPORTS FROM COMMITTEE

Mr. HALUSKA, from the Committee on Local Government, reported, as committed, SB 576, 610, 614, 615, 620, 760, 768 and 780; as amended, SB 751.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. DEVLIN, from the committee on Executive Nominations, reported the following nominations, made

by his Excellency, the Governor, which were laid on the table:

MEMBER OF THE BOARD OF TRUSTEES OF
MANSFIELD STATE COLLEGE

June 12, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Raymond T. Law, 119 Church Street, Taylor, Lackawanna County, for appointment as a member of the Board of Trustees of Mansfield State College, until the third Tuesday of January 1967, and until his successor is appointed and qualified, vice Francis J. Cichocki, South Waverly, whose term expired.

DAVID L. LAWRENCE.

MEMBER OF THE PENNSYLVANIA GAME
COMMISSION

June 13, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Nicholas Biddle, 250 Moreland Road, Bethayres, Montgomery County, for reappointment as a member of the Pennsylvania Game Commission, until the third Tuesday of January 1969, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

June 14, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Carolyn G. Farner, R. D. 3, Newville, Cumberland County, for appointment as Justice of the Peace in and for the Township of Lower Mifflin, Cumberland County, until the first Monday of January 1962, to fill a vacancy.

DAVID L. LAWRENCE.

MEMBER OF THE LYCOMING COUNTY BOARD
OF ASSISTANCE

June 12, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Ann L. Berger Democrat, 525 Seventh Avenue, Williamsport, Lycoming County, for appointment as a member of the Lycoming County Board of Assistance, until December 31, 1961, and until her successor is duly appointed and qualified, vice Mrs. Agnes H. Preston, Williamsport, resigned.

DAVID L. LAWRENCE.

REPORTS FROM COMMITTEES

Mr. McCREESH, from the Committee on Elections, reported, as committed, **HB 837, 1293, 1344, 1346, 1347, 1350, 1353 and 1407.**

He also, from the Committee on Public Health and Welfare, reported, as committed, **SB 214, 788, HB 1075 and 1077;** as amended, **SB 672.**

Mr. MURRAY, from the Committee on Highways, reported, as committed, **SB 622, HB 519 and 644.**

Mr. SESLER, from the Committee on Agriculture, reported, as amended, **SB 747.**

He also, from the Committee on Judiciary General, reported, as committed, **HB 1213 and 1460.**

GUESTS OF SENATOR GUS YARTON
PRESENTED TO SENATE

Mr. YATRON. Mr. President, at this time, I ask the Chair to recognize a group of women from Berks County.

This distinguished group from Berks County consists of a group of good Republican women. There are thirty-two of them and they are here under the direction of Mrs. Charles Hines, President of the Southern Berks Council of Republican Women, and Mrs. Helen Myers.

The PRESIDENT. Would the ladies from Berks County please rise?

We are very happy to have this group with us. I did not realize until just now that the Republicans half-heartedly applauded, until we found out that you were Republicans. However, in any event, a Democratic Lieutenant Governor is happy to make you welcome to the Senate of Pennsylvania.

Mr. YATRON. Also, a Democratic Senator.

RECESS

Mr. SILVERT. Mr. President, I request a ten minute recess of the Senate for the purpose of holding a meeting of the Committee on Finance, to be held in the Appropriation Committee Room.

Mr. MCGINNIS. Mr. President, following the ten minute recess of the Senate for the meeting of the Committee on Finance, I request another ten minute recess for the purpose of holding a meeting of the Committee on Appropriations, to be held in Room 252.

The PRESIDENT. Are there any objections? The Chair hears no objection, and now declares a twenty minute recess of the Senate.

AFTER RECESS

The PRESIDING OFFICER (Joseph D. Ripp) in the Chair.

The PRESIDING OFFICER. The time of recess having elapsed, the Senate will be in order.

REPORTS FROM COMMITTEES

Mr. SILVERT, from the Committee on Finance, reported, as committed, **HB 945 and 1414.**

Mr. STROUP, from the Committee on Local Government, reported, as amended, **HB 853 and 1150.**

He laso, from the Committee on Agriculture, reported, as committed, **HB 1447;** as amended **SB 746.**

UNANIMOUS CONSENT GRANTED FOR
IMMEDIATE CONSIDERATION OF THE
CALENDAR

Mr. WEINER. Mr. President, I ask unanimous consent to take up consideration of today's Calendar at this time and pass over the regular order of business.

The PRESIDING OFFICER. There being no objection, the Senate will now proceed to the consideration of today's Calendar.

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CALENDAR

FINAL PASSAGE CALENDAR

BILL OVER IN ORDER

SB 493—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILL ON FINAL PASSAGE DEFEATED

SB 659 (Pr. No. 761)—On the question, Shall the bill pass finally?
(During the calling of the roll, the following occurred:) Mr. ROONEY. Mr. President, I desire to be recorded as voting "aye."

The PRESIDING OFFICER. The gentleman will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—23

Berger,	Fleming,	Rooney,	Stalsey,
Camiel,	Haluska,	Sarrafa,	Wagner,
Devlin,	Hays,	Scott,	Weiner,
DiSilvestro,	Kalman,	Sesler,	Yatron,
Donolow,	Miller,	Seyler,	Ripp,
Ehrgood,	Mullin,	Silvert,	Presiding Officer

NAY—20

Chapman,	Kessler,	McCreesh,	Stroup,
Confair,	Kromer,	McMenamin,	Taylor,
Flack,	Lane,	Murray,	Wade,
Hawbaker,	Madigan,	Pechan,	Ware, III,
Keller,	Mallery,	Propert,	Wolfe,

Less than a majority of all the Senators having voted "aye," the question was determined in the negative, and the bill was defeated.

The PRESIDING OFFICER. The Lieutenant Governor having returned, the gavel is now turned over to the Honorable John Morgan Davis.

The PRESIDENT (Lieutenant Governor John Morgan Davis) in the Chair.

BILL ON FINAL PASSAGE

HB 1308 (Pr. No. 1524)—On the question, Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—31

Berger,	Hays,	Murray,	Stalsey,
Camiel,	Kalman,	Pechan,	Taylor,
Confair,	Kessler,	Ripp,	Wade,
Devlin,	Kromer,	Rooney,	Wagner,
DiSilvestro,	Mallery,	Sarrafa,	Ware, III,
Donolow,	McCreesh,	Scott,	Weiner,
Fleming,	McMenamin,	Sesler,	Yatron,
Haluska,	Miller,	Silvert,	

NAYS—14

Chapman,	Lane,	Propert,	Stiefel,
Ehrgood,	Madigan,	Seyler,	Stroup,
Hawbaker,	McGinnis,	Stevenson,	Wolfe,
Keller,	Mullin,		

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

THIRD READING CALENDAR

BILL ON THIRD READING AND FINAL PASSAGE

HB 48 (Pr. No. 1889)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bell,	Kalman,	Mullin,	Stalsey,
Berger,	Keller,	Murray,	Stevenson,
Camiel,	Kessler,	Pechan,	Stiefel,
Confair,	Kromer,	Propert,	Stroup,
Devlin,	Lane,	Ripp,	Taylor,
DiSilvestro,	Madigan,	Rooney,	Van Sant,
Donolow,	Mahady,	Sarrafa,	Wade,
Ehrgood,	Mallery,	Scott,	Wagner,
Flack,	McCreesh,	Sesler,	Ware, III,
Fleming,	McGinnis,	Seyler,	Weiner,
Haluska,	McMenamin,	Shafer,	Wolfe,
Hawbaker,	Miller,	Silvert,	Yatron,
Hays,			

NAYS—1

Chapman,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

HB 67—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

HB 95—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILLS ON THIRD READING AND FINAL PASSAGE

HB 254 (Pr. No. 2321)—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bell,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stalsey,
Camiel,	Keller,	Murray,	Stevenson,
Chapman,	Kessler,	Pechan,	Stiefel,
Confair,	Kromer,	Propert,	Taylor,
Devlin,	Lane,	Ripp,	Van Sant,
DiSilvestro,	Madigan,	Rooney,	Wade,
Donolow,	Mahady,	Sarrafa,	Wagner,
Ehrgood,	Mallery,	Scott,	Ware, III,
Flack,	McCreesh,	Sesler,	Weiner,
Fleming,	McGinnis,	Seyler,	Wolfe,
Haluska,	McMenamin,	Shafer,	Yatron,
Hawbaker,			

NAYS—1

Stroup,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

HB 255 (Pr. No. 2322)—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bell,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stalsey,
Camiel,	Keller,	Murray,	Stevenson,
Chapman,	Kessler,	Pechan,	Stiefel,
Confair,	Kromer,	Propert,	Taylor,
Devlin,	Lane,	Ripp,	Van Sant,
Donolow,	Madigan,	Rooney,	Wade,
DiSilvestro,	Mahady,	Sarraf,	Wagner,
Ehrgood,	Mallery,	Scott,	Ware, III,
Flack,	McCreesh,	Sesler,	Weiner,
Fleming,	McGinnis,	Seyler,	Wolfe,
Haluska,	McMenamin,	Shafer,	Yatron,
Hawbaker,			

NAYS—1

Stroup,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

BILL ON THIRD READING AMENDED

SB 261 (Pr. No. 272)—Read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. LANE, by unanimous consent, offered the following amendments:

Amend Sec. 1 (Sec. 602), page 3, line 18, by striking out "ten" and inserting: twenty

Amend Sec. 1 (Sec. 602), page 4, line 1, by inserting after "system": and beginning with the year 1962 such tax rate increase shall not exceed five per centum per year for the next five succeeding years

On the question,

Will the Senate agree to the amendments?

They were agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. LANE.

BILL ON THIRD READING AND FINAL PASSAGE

HB 281 (Pr. No. 306)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Van Sant,
Devlin,	Lane,	Rooney,	Wagner,
DiSilvestro,	Madigan,	Sarraf,	Ware, III,
Donolow,	Mahady,	Scott,	Weiner,
Ehrgood,	Mallery,	Sesler,	Yatron,

Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

SB 322, 344 and 345—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

SB 351—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILLS ON THIRD READING AND FINAL PASSAGE

HB 530 (Pr. No. 2342)—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

SB 587 (Pr. No. 664)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Bell,	Kalman,	Murray,	Stalsey,
Berger,	Keller,	Pechan,	Stevenson,
Camiel,	Kromer,	Ripp,	Stiefel,
Devlin,	Lane,	Rooney,	Stroup,
DiSilvestro,	Mallery,	Sarraf,	Van Sant,
Donolow,	McCreesh,	Scott,	Wagner,
Flack,	McGinnis,	Sesler,	Ware, III,
Fleming,	McMenamin,	Seyler,	Weiner,
Haluska,	Miller,	Silvert,	Yatron,
Hays,	Mullin,		

NAYS—10

Chapman,	Hawbaker,	Propert,	Wade,
Confair,	Kessler,	Taylor,	Wolfe,
Ehrgood,	Madigan,		

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SB 592 (Pr. No. 669)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40

Bell,	Hawbaker,	Mullin,	Stevenson,
Berger,	Hays,	Murray,	Stiefel,
Camiel,	Kalman,	Ripp,	Taylor,
Chapman,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarraf,	Wade,
DiSilvestro,	Mallery,	Scott,	Wagner,
Donolow,	McCreesh,	Sesler,	Ware, III,
Flack,	McGinnis,	Seyler,	Weiner,
Fleming,	McMenamin,	Silvert,	Wolfe,
Haluska,	Miller,	Stalsey,	Yatron,

NAYS—7

Ehrgood,	Kessler,	Pechan,	Stroup,
Keller,	Kromer,	Propert,	

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SB 593 (Pr. No. 932)—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—29

Camiel,	Kalman,	Pechan,	Stalsey,
Confair,	Lane,	Ripp,	Stevenson,
Devlin,	McGinnis,	Rooney,	Stiefel,
DiSilvestro,	McMenamin,	Sarraf,	Van Sant,
Donolow,	Miller,	Scott,	Wagner,
Flack,	Mullin,	Seyler,	Weiner,
Haluska,	Murray,	Silvert,	Yatron,
Hays,			

NAYS—19

Bell,	Hawbaker,	Mallery,	Taylor,
Berger,	Keller,	McCreesh,	Wade,
Chapman,	Kessler,	Propert,	Ware, III,
Ehrgood,	Kromer,	Sesler,	Wolfe,
Fleming,	Madigan,	Stroup,	

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

SB 646—Without objection, the bill was passed over in its order at the request of Mr. HAYS.

BILL ON THIRD READING AND FINAL PASSAGE

HB 659 (Pr. 715)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kromer,	Propert,	Stroup,
Confair,	Lane,	Ripp,	Taylor,
Devlin,	Madigan,	Rooney,	Van Sant,
DiSilvestro,	Mahady,	Sarraf,	Wade,
Donolow,	Mallery,	Scott,	Wagner,
Ehrgood,	McCreesh,	Sesler,	Ware, III,
Flack,	McGinnis,	Seyler,	Weiner,
Fleming,	McMenamin,	Shafer,	Wolfe,
Haluska,	Miller,	Silvert,	Yatron,
Hawbaker,			

NAYS—1

Kessler,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

SB 687 (Pr. No. 800)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

Mr. WEINER. Mr. President, I want to take a moment to explain this bill.

The reason this measure is necessary and the reason the department is interested in having it is that it has been very difficult to recruit the appropriate personnel they need so badly. There are many vacancies in this department in certain areas, such as home visitors and people of that type.

They are asking a relaxation of the Civil Service Act primarily to hire these people, even on a short-term basis, to meet the needs of the department. One of the requirements they are removing is the residence requirement. If they could possibly fill these jobs with local people, they would be delighted to do so. Unfortunately, they have been unable to do so and they have been hampered by this requirement. Therefore, they are requesting some help in this area.

This bill does nothing other than what I have just explained, unless somebody else has a different version of it. This is the department's version, and I think the version to which the Administration subscribes.

Mr. PECHAN. Mr. President, I would like to request that this bill go over in its order today. I have requested some information on Senate Bill No. 687, and it may be available to me by next Monday.

This bill has just recently been placed on the Calendar. I would like to vote for it if I see that it is not going to be abused. I am not so sure that it will not. Therefore, I would like to request that the bill go over in its order until Monday, if possible.

Mr. WEINER. Mr. President, as a fellow sponsor, I can hardly refuse that request.

The PRESIDENT. There being no objection, the bill will go over in its order on Final Passage.

SB 688 and 690—Without objection, the bills were passed over in their order at the request of Mr. HAYS.

BILLS ON THIRD READING AND FINAL PASSAGE

SB 691 (Pr. No. 804)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SB 713 (Pr. No. 933)—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

Shall the bill pass finally?

On the question,

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	Miller,	Silvert,	Yatron,
Hawbaker,			

NAYS—1

McMenamin,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SB 726 (Pr. No. 926)—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

HB 728 (Pr. No. 2324)—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

SB 735 (Pr. No. 855)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

HB 742 (Pr. No. 815)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 743 (Pr. No. 816)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SB 757 (Pr. No. 903)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,

Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives for concurrence.

HB 844 (Pr. No. 929)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

HB 973 and 979—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

BILL ON THIRD READING AMENDED

HB 985 (Pr. No. 1827)—Read at length the third time, On the question, Will the Senate agree to the bill on third reading? Mr. WADE, by unanimous consent, offered the following amendment:

Amend Sec. 1, page 2, line 12, by inserting after "property": nor against any person who in good faith discharges a contractual obligation

On the question,

Will the Senate agree to the amendment?

It was agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. WADE.

BILLS OVER IN ORDER

HB 1082 (Pr. No. 1199)—Read at length the third time, On the question, Will the Senate agree to the bill on third reading?

AMENDMENTS TAKEN FROM THE TABLE

Mr. SCOTT. Mr. President, at this time, I would like to request to remove from the table certain amendments to this bill, which were placed on the table last week.

By way of explanation, Mr. President, you were not presiding at that time. When this bill appeared before the Senate for action, I offered certain amendments. Then, by agreement of the parties, we placed those amendments on the table, awaiting certain events.

The PRESIDENT. Are the amendments now being called from the table?

Mr. SCOTT. Yes, they are now being called from the table.

Mr. WEINER. Mr. President, these amendments are being called up at this time, and I would ask my colleagues to vote "no" on them. I have previously stated my objections to these amendments.

Mr. SCOTT. Mr. President, at the time when these amendments were introduced and presented to the Chair, last week, the Majority Leader raised the question as to the propriety of offering amendments of this type to the bill being considered by the Senate. At that particular time, there was an agreement that the Attorney General of the Commonwealth of Pennsylvania would be consulted as to the correctness of my procedure.

Senator Weiner was good enough to contact the Attorney General and requested a ruling from her. She has submitted her reasoning in writing, and has ruled that it is perfectly satisfactory to offer amendments of this type to the bill before the Senate. I think the opinion of the Attorney General, in this particular situation, should be entered on the record of this Senate. If the Majority Leader has no objection, at this time, I would like to offer the opinion of the Attorney General.

Mr. WEINER. Mr. President, I could hardly have a serious objection, since I was the one who obtained the opinion and gave it to Senator Scott. However, I happen to differ with that opinion on legal grounds. I will not go into them here in detail. If the gentleman wishes to offer the opinion, I have no objection.

The PRESIDENT. The opinion of the Attorney General may be offered and it will appear in the Journal.

June 19, 1961.

CONSTITUTIONALITY OF PROPOSED AMENDMENT TO HOUSE BILL NO. 1082, PRINTER'S NO. 1199

Article III, Section 1 of the Constitution of the Commonwealth of Pennsylvania reads as follows:

"No law shall be passed except by bill, and no bill shall be so altered or amended, on its passage through either House, as to change its original purpose."

In 82 C.J.S., Statutes, Section 30, it is said:

"A constitutional provision that a bill shall not be so altered or amended, in the course of its enactment, as to change its original purpose does not prevent the insertion of amendments germane to, and within the scope of, the original."

"A constitutional provision that a bill shall not be so altered or amended, in the course of its enactment, as to change its original purpose is not to be so construed as to prevent the introduction of matter merely extending the purpose or scope of operation of the bill, or limiting it, or the substitution of a measure or insertion of amendments having the same purpose as the original or germane to, and within the scope

of, the original; and a bill thus limited and extended by the amendments of the two houses in its scope or purpose, or otherwise amended, but embracing no matter not germane to the original purpose or the subject of legislation as expressed in the title of the act which it purports to amend, may become a valid law. Also, such a restriction should not be so embraced as to prevent the substitution for a bill which is essentially amendatory in character of another related to the same subject and having the same general effect on existing laws, although some changes may be proposed by the substitute which would not have resulted from the passage of the original.

"The 'purpose' contemplated in such a constitutional provision is the general purpose of the bill, and not the mere details through which and by which that purpose is manifested and effectuated. Such a constitutional provision should be given a reasonable construction so as not unnecessarily to embarrass proper legislation. * * *

In 158 A.L.R., in the annotation appearing at page 421, in discussing constitutional provisions against changing the purpose of the bill during passage, it is said:

"III. Types of alterations or amendments which do not change original purpose:

"a. Immaterial changes, 424.

"b. Extension of scope, 426.

"c. Limitation of scope, 428.

"d. Changes in time, 428.

"e. Substitution of other measures having the same purpose as original measures, 429.

"f. Additions of matters germane to original purpose, 429."

In the case of *Black Hawk Consol. Mines Co. v. Gallegos*, 191 P. 2d 996 (1948), the Court at page 1005 said:

"The purpose of Article 4, Section 15 of the New Mexico Constitution prohibiting the altering or amending a bill on its passage so as to change its purpose is, solely to prohibit amendments not germane to subject of legislation expressed in the title of act purported to be amended.

"See *Stein v. Leeper*, 78 Ala. 517; *Hall v. Steel*, 82 Ala. 562, 2 So. 650; *Alabama State Bridge Corp. v. Smith*, 217 Ala. 311, 116 So. 695." (Emphasis supplied)

In *Cone v. Garner*, 3 S. W. 2d 1 (1927), the Constitution of the State of Arkansas reads:

"No law shall be passed except by bill, and no bill shall be so altered or amended on its passage through either house as to change its purpose."

At page 4 the Court said:

"It is said that the object of this section of the Constitution was that the Senate and House of Representatives of the state might not be hampered or embarrassed in amending and perfecting their bills and thus be driven to accomplish by a number of bills that which might well be accomplished by one bill, but the purpose of the section was to forbid amendments which should not be germane to the subject of legislation expressed in the title of the act which it purports to amend. *Hickey v. State*, 114 Ark. 526, 170 S. W. 562."

In a later case, the Supreme Court of Arkansas, in *Pope v. Oliver*, 117 S. W. 2d 1072 (1938), said, in speaking of an alleged violation of Section 21 of Article V of the State Constitution, that:

"* * * The purpose of this provision in our Constitution is to prevent amendments to a bill which would not be germane to the subject of the legislation expressed in the title of the Act, which it purports to amend. *Loftin v. Watson*, 32 Ark. 414; *Hickey v. State*, 114 Ark. 526, 170 S. W. 562; *Cone v. Garner*, 175 Ark. 860, 3 S. W. 2d 1; *Matthews v. Byrd*, 187 Ark. 458, 60 S. W. 2d 909." (Emphasis supplied)

It may well be argued that since the purpose of House Bill No. 1082 was to amend the Election

Code, that any other amendment included in the bill concerning elections was but an extension of the scope of the original amendment.

The initial amendment in the bill regulated the time for opening and closing polls. The Election Code provides for the appointment of watchers and also provides they may, with certain exceptions, be present during the time when the polls are open as well as closed. The second amendment was well within the subject of the original amendment and was certainly germane to the general subject of elections in the Commonwealth of Pennsylvania.

It is, therefore, the opinion of the writer that the proposed amendment to House Bill No. 1082, Printer's No. 1199, as proposed by Senator Scott, is not in violation of Article III, Section 1 of the Constitution of the Commonwealth of Pennsylvania.

/s/ Harrington Adams
Deputy Attorney General
/s/ Anne X. Alpern
Attorney General

Mr. SCOTT. Mr. President, I would request that the amendments now be read by the Clerk.

The PRESIDENT. The Clerk will read the amendments. The amendments were read by the Clerk as follows:

Amend Title, page 2, last line of Title by inserting after "polls"; and changing residence requirements for watchers

Amend Sec. 1, page 2, line 1 by striking out "Section" where it appears the second time and inserting: Subsection (b) of section 417 and section.

Amend Sec. 1, page 2, line 2 by striking out "is" and inserting: are.

Amend Bill, page 2, by inserting between lines 2 and 3: Section 417. Appointment of Watchers.—
* * *

(b) All watchers so appointed must be qualified registered electors of the [district] municipality or township in which they are authorized to act Only one watcher for each candidate at primaries or for each party or political body at general municipal or special elections shall be allowed to remain in the polling place at any one time prior to the close of the polls and all watchers in the room shall remain outside the enclosed space After the close of the polls and while the ballots are being counted or voting machine canvassed all the watchers shall be permitted to be in the polling place outside the enclosed space Each watcher shall be provided with a certificate from the county board of elections stating his name and the name of the candidate party or political body he represents Watchers shall be required to show their certificates when requested to do so Watchers allowed in the polling place under the provisions of this act shall be permitted to keep a list of voters and shall be entitled to challenge any person making application to vote and to require proof of his qualifications as provided by this act

On the question,

Will the Senate agree to the amendments?

Mr. SCOTT. On the amendments themselves, Mr. President, I would only like to reiterate what I said the last time when these amendments were before the Senate. These amendments are one of the recommendations of the Senate Vote Fraud Committee. In my estimation, it is the most important recommendation and, therefore, I would request my colleagues to vote "aye" on the amendments.

Mr. WEINER. Mr. President, before the roll is called,

I would also like to have the record clearly show that just because these are recommendations of the committee, there was not a minority report, but there were persons who differed with what the feelings of the majority were in this report. Just because a committee makes a report does not mean that all the things it contains are absolutely true.

I would also like to put into the record that after all this intensive investigation, with quite a bit of help from the news media in the area, the Committee of Seventy has come up and said, through one of the people on whom they rely very heavily, that the election was clean and there was no fraud found. Also, Senator Scott I believe was quoted as saying, and fairly so, that the election was a clean election in the city of Philadelphia.

I might also add there was a recent election for one of the legislative seats in the city of Philadelphia, right in my own District, in which there were charges made against a certain person or persons. This has since been identified by the Philadelphia Bulletin, which ran quite a large article on it. Unfortunately, it was buried back among some of the ads which usually appear in that newspaper. However, the article also stated that the Committee of Seventy had found nothing and that the election was clean. It stated that our Registration Commissioners helped them not only with personnel, but also with an agency which held a complete investigation by interrogating persons and said that this also was absolutely a clean election. There was no fraud of any type found.

I wish to bring this to the record for the purpose of showing that I wish some other counties would also undertake this type of an investigation. I have none in mind, although I did make certain allegations here during the last Session of the Legislature about certain other areas. I think an investigation of those would be in order as well. If the Senator would like to look into that, I would like to present to him the concrete evidence. If he looks into this matter, I think he will find that much of it will bear some rather tight scrutiny.

Mr. SCOTT. Mr. President, I am delighted that Senator Weiner raised the quotation which was attributed to me following the 1960 November election, wherein I was reported to have said that as far as I could see, that election was a clean election in the city of Philadelphia. I do want to say to you Mr. President, that before I made that statement,—and I did make such a statement—I checked with many agencies and groups in Philadelphia.

I have been criticised by some of the leaders in my own Party for making a statement of that type. However, I am confident that the November election of 1960, in the city of Philadelphia, was a clean election. The proof of that is that, as yet, I have not heard of one illegal election irregularity having been pointed out at that election, or being brought to the front. However, Mr. President, that does not mean there have not been illegal elections in Philadelphia in the past. That does not mean there have not been frauds perpetuated at the polls. There certainly have been.

One of the reasons why the election was so clean in Philadelphia last November was that there were many vigilante committees patrolling the streets and the polling places in the city of Philadelphia. You cannot expect that this is going to take place in every election, by private

groups and private individuals doing that type of a job. There have been cases of fraud in elections in Philadelphia. There have been convictions for those frauds.

I am convinced that this particular recommendation will go a long way toward aiding the stopping of frauds in elections. This particular provision of the Election Code should be changed. This does not only apply to Philadelphia, but to the entire Commonwealth of Pennsylvania. I am convinced this will go a long way in aiding the cause.

Mr. WEINER. Mr. President, I would like to point out to the gentleman that the people who come around at watch the watchers are not allowed in many of the polling places. They must stay within 300 feet of the polling place. This is the Election Law. Unfortunately, in other areas, this has hampered the operation. However, in most of the election areas which exist in the Philadelphia area, most of them are held in stores and areas of that kind, in order for them to be easily accessible to anyone who comes around. The Committee of Seventy and all these other people who patrol these elections have patrolled them much more closely in the last number of years than they ever did in previous years. I would like to institute this same type of procedure in other areas.

In other words, I am sure some other counties could bear watching. Just to name one, I recently read in the Harrisburg Patriot-News about allegations against Dauphin County for wholesale fraud and things of that nature. A gentleman, who is the namesake of a great Philadelphian, by the name of Franklin, I believe.—I do not know whether that is a first or last name—was also honorably mentioned. I do not know whether these people have done these things or not. I have no way of knowing it, other than what I read in the newspaper.

If they want to look into these matters, I think they should expand it. I think they should go into Montgomery County, Delaware County, Chester County and Dauphin County. I think they should give the entire sixty-seven counties an opportunity to bare themselves in the light of day. I am sure any area which has nothing to fear will be very happy to cooperate, as our people were in Philadelphia. As a matter of fact, our people presented themselves to the committee. They offered themselves as witnesses and offered to bring in their books, records or whatever else was needed. Then they went ahead and did this thing. Where there was any wrongdoing, a Democratic Administration and a Democratic Attorney General prosecuted, in a Democratic Administration, in Philadelphia, the people who were involved. The District Attorney, who also happened to be of the same political faith, also took part and participated in these matters.

I do not say that we should begin witch-hunting or go out and hammer these people. However, I think, by the same token, the facts as they exist should be brought to the light of day. There are some people who find some reason to obscure these facts, muddle them or confuse them, because it leads to erroneous conclusions or conclusions which they might in some way be prejudiced to make. However, I think that is up to them.

I hope no one in this room will feel that just because I did not mention their counties as being ones which should be investigated that I am slighting them. I do not intend this at all. I think we should go into some of these other areas which might bear looking into. It might be there is nothing to look into and I think this fact should also be

reported back to us from time to time. I think in all areas, we should constantly keep a close watch. This is one of our inalienable rights and we should see that it is not sullied in any way.

Mr. MULLIN. Mr. President, the Registration Commission in Philadelphia received the award of the American Heritage Foundation for the cleanest city in America. I do not think the people from Philadelphia have to tolerate, without any word at all, the attempts to blacken the reputation of the finest city in the United States and, of course, the largest city in Pennsylvania. We have been subjected to all types of vilification and slander from people, just for the sake of slandering. This solicitousness for our city is not borne out by any facts or justification. Philadelphia is the best governed city in the United States, it is the best run city in the United States and its elections are the cleanest in the United States. We can challenge comparison with any city in the United States and in Pennsylvania.

Mr. SCOTT. Mr. President, if Senator Mullin has a quarrel with the metropolitan newspapers of Philadelphia, I suggest that he take it up with them and not with the Senate of Pennsylvania.

As far as Senator Weiner's suggestion is concerned, Mr. President, may I point out that at the time when the Vote Fraud Committee was formed, the resolution contained the provision that our committee would go into any other county in the Commonwealth of Pennsylvania, if it received any communication from anyone in any of those counties requesting us to come in. As Chairman of that Committee, I can say to you that I received no request from any person in the Commonwealth of Pennsylvania, asking our committee to go into any other county in Pennsylvania to make an investigation of vote fraud irregularities.

As a matter of fact, in my estimation, Senator Weiner made the best argument as to why we should adopt these amendments. If he feels there is vote fraud in any other section of Pennsylvania, certainly these amendments will go a long way to alleviate that vote fraud. The present law on the subject, as far as watchers are concerned, is antiquated. These amendments will change it so that watchers can come from any section of the particular area and serve as watchers in an election district. That is most certainly needed in Pennsylvania and, particularly, in Philadelphia today.

Mr. DONOLOW. Mr. President, at the outset, I would like to say that the Senate Committee which investigated election frauds in Philadelphia, under the chairmanship of Senator Scott, did an excellent job. Of all the investigating committees which have been assigned by this legislative branch of government, that was a fair and impartial investigation. There is certainly no complaint from anyone in Philadelphia regarding the job that was done. The report was a fair and just one and the recommendations, to a great extent, had some substantial basis for them.

However, Mr. President, on this particular recommendation, I cannot agree. In order to eliminate fraud in any division in the city of Philadelphia, or in any big city, it is important that the watcher be acquainted with the people in that division. Bringing people from one section of the city to another, in order to stand guard on election day, is not going to be the safeguard which is necessary for fair elections. I am sure Senator Scott will agree that the investigation showed that a number of people who

were caught, fictitiously voted for others. The Election Board, itself, which came from the particular division, could not recognize or know the persons who were voting.

Mr. President, this is the reason why I am voting against these amendments. I feel this is not the thing we need to safeguard against fraudulent votes being cast.

And the question recurring,
Will the Senate agree to the amendments?
The roll was called and resulted as follows:

YEAS—22

Berger,	Keller,	Propert,	Van Sant,
Chapman,	Kessler,	Scott,	Wade,
Ehrgood,	Kromer,	Stevenson,	Wagner,
Flack,	Madigan,	Stroup,	Ware, III,
Fleming,	Mallery,	Taylor,	Wolfe,
Hawbaker,	Pechan,		

NAYS—24

Camiel,	Kalman,	Mullin,	Seyler,
Devlin,	Lane,	Murray,	Silvert,
DiSilvestro,	McCreesh,	Ripp,	Stalsey,
Donolow,	McGinnis,	Rooney,	Stiefel,
Haluska,	McMenamin,	Sarraff,	Weiner,
Hays,	Miller,	Sesler,	Yatron,

So the question was determined in the negative, and the amendments were defeated.

And the question recurring,
Will the Senate agree to the bill on third reading?

Mr. WEINER. Mr. President, I request that House Bill No. 1082 now go over in its order.

The PRESIDENT. There being no objection, the bill will go over in its order.

HB 1139—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILL ON THIRD READING AND FINAL PASSAGE

HB 1165 (Pr. No. 2326)—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—29

Camiel,	McGinnis,	Ripp,	Stalsey,
Devlin,	McMenamin,	Rooney,	Stiefel,
DiSilvestro,	Miller,	Sarraff,	Taylor,
Donolow,	Mullin,	Scott,	Van Sant,
Haluska,	Murray,	Sesler,	Ware, III,
Kalman,	Pechan,	Seyler,	Weiner,
Lane,	Propert,	Silvert,	Yatron,
McCreesh,			

NAYS—16

Berger,	Hawbaker,	Kromer,	Stroup,
Chapman,	Hays,	Madigan,	Wade,
Ehrgood,	Keller,	Mallery,	Wagner,
Fleming,	Kessler,	Stevenson,	Wolfe,

A majority of all the Senators having voted "aye," the question was decided in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

BILL OVER IN ORDER

HB 1181—Mr. WAGNER. Mr. President, I request that House Bill No. 1181 go over in its order.

The PRESIDENT. Is there objection?

Mr. WAGNER. Mr. President, I think it is very important that I tell the Members of the Senate why I made this request.

This bill calls for an Anthracite Mine Law Study Commission which will review all of the mining laws and probably compile a code which will be very comprehensive. It is important that all of the anthracite interests be represented on that committee.

The bill was introduced in the House and referred to committee on April 10th, and was passed on the 22nd of May by a vote of 196 to 1. It came over to the Senate, was referred to the Mines and Mineral Industries Committee, was reported as committed, and reached Third Reading yesterday without any amendment or without any comment. Then the Majority Leader, for some reason, saw fit—in a surprise move so far as some of us were concerned—to strike out from the bill, by his amendments, the make-up which would have given every part of anthracite a voice in this very important study.

I was quite happy that the very numerous sponsorship in the House was agreed that the commission should be made up of every segment of anthracite. Now the amendments which were put in yesterday will eliminate what has become a very substantial and very successful part of the anthracite industry from any participation in compiling this code.

I would suggest, Mr. President, that if we are not going to get into a later hassle on this matter and probably have it become another case of love's labor lost in this voluminous work and this great undertaking, at least the part of the industry that has been eliminated by these amendments be given an opportunity to know what has happened to it and to voice their opinion of it.

I respectfully request that the bill go over in its order until next week's session.

Mr. WEINER. Mr. President, I want to explain the only thing that the amendments do, so that we can completely understand each other. Seven members made up the board or panel. Of these seven, one was the Secretary of Mines, three were union representatives, and three were operators. We have not changed that at all. The bill still remains with seven, and it is still the Secretary of Mines, three union representatives, and three operators.

The only difference between what we had yesterday and what we have today is that the operators were broken down into those who had no bargaining agents—I think I can speak more plainly than that and say those who had no union setup or contract, and who are known as independents—and those that did have them. That has not been changed. That still remains the same, except that we have just left in the word "operators." The Governor, or whoever makes up this commission,—and I am sure the Governor will by consulting the Secretary of Mines—will also continue to have independents as well as those mine operators who have union representation.

I do not see that there has been any real change, except that we have changed the generic term back to what it was—the word "operators."

Suppose the bill remained as it was yesterday. They could still appoint these people and if at some later time they became unionized, that would mean those people would have to be dropped from the board. That was the only concern we had and that was the reason why we

brought it back to the generic term of "operators". Their number or their make-up is no different. It remains the same, except that it is not spelled out now as compared to Senator Wagner's reference to the bill prior to the amendments.

Mr. WAGNER. Mr. President, I quite agree with the gentleman that the number of people participating in this is the same as it was before. However, as a matter of fact, in Schuylkill County and adjacent counties, there is probably more coal being mined today by the people who are excluded from this bill than is being mined by those who are included.

Whether it be coal or any manufacturing, it seems to me that those who are a very large element in the business ought to have a chance to confer on the kind of code under which they are going to operate.

I would respectfully suggest to the Majority Leader that between now and Monday, he might give some thought to adding one more representative of the operators and leave the original provision in there. There are still three representatives of the operators, but the so-called independent operator, who is doing a vast coal business and providing a great amount of employment in distressed areas, is excluded from consideration in this entirely.

I would suggest to the Senator that if the language be restored and one additional representative of the operators be put in there, everybody you have in now will still be in, and the voice that is crying in the wilderness may get a little closer to the microphone than he has ever had a chance to be from out in left field where you have put him at the moment.

Mr. WEINER. Mr. President, will the gentleman allow himself to be interrogated for one moment?

The PRESIDENT. Will the gentleman from Schuylkill, Mr. Wagner, permit himself to be interrogated?

Mr. WAGNER. I will, Mr. President.

Mr. WEINER. Mr. President, will the gentleman advise me whether it would help if we add another operator? In other words, instead of three, make it four operators in order to make it two and two,—two independents and two who are unionized—and add one more union representative; the purpose of this being that now there are three and it would bring them up to the same number. Would that help the situation?

Mr. WAGNER. I would think, Mr. President, that it probably would. However, I do feel that these folks apparently were in agreement with all of the sponsors, and there was a verry happy family situation up until today and now there is considerable discord. Since we have had Father's Day recently, we might change it enough to make a happy family day next week sometime.

Mr. WEINER. Mr. President, I want to thank the gentleman for his suggestion. I will certainly follow through on it, and I will try to advise him sometime tomorrow on what the thinking is on this subject.

The PRESIDENT. There being no objection, the bill will go over in its order.

BILLS ON THIRD READING AND FINAL PASSAGE

HB 1222 (Pr. No. 2060)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 1297 (Pr. No. 1513)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

GUESTS OF SENATOR ALBERT R. PECHAN PRESENTED TO SENATE

Mr. PECHAN. Mr. President, I have the happy pleasure to introduce—I think for the first time since I have been in the Senate—a group from my home town. It is the Girl Scout Troop of which my niece, Susan Callahan, is a member.

They are chaperoned by Mrs. Ted Stanko, who is the Leader of Troop No. 55; Mrs. Andy Johns, who is the Coleader; Mrs. Richard Reitler, the Registered Nurse who is accompanying them; and Miss Margie Dietz, the Senior Aide.

The members of this Troop are Kathy Ball, Paula Bernot, Susan Callahan, Cherie Cunningham, Lesley Jackson, Andrea Johns, Cynthia Kijowski, Wanda Klaput, Joanne Krukar, Linda Labutka, Sally Madzy, Carol McGuire,

Carol Mikula, Jane Pepper, Barbara Reitler, Valerie Simmons, Anna Marie Stanko and Pamela Stanko.

For over three years, this group has been raising money to make this educational trip to Harrisburg. They are going to spend a few hours here, and from here they are going on to Washington. They are traveling on "Traveler's Badges" and "My Country Badges".

They have sold peanuts, candy and cookies to everybody in Ford City. We have forgotten what bread looks like. Everybody has been eating Girl Scout Cookies, candy and peanuts until they are coming out of our ears. However, I am happy they raised enough money to make this trip. They have also had bake sales, movies and many, many other affairs.

Mr. President, I would like for you, in your very gracious manner, to welcome this group to the Senate.

The PRESIDENT. Will the girls from Ford City please rise?

We are very happy to have you here with us. As a very strong customer of the Girl Scouts in the matter of Girl Scout Cookies, I have two Girl Scouts in my own family, and I am sure that every Senator here has someone in the Girl Scout movement, of which we are very proud.

We are very happy you worked so hard to put across the Girl Scout idea with the cookies and earned yourselves a trip to Washington. We are also very happy that you decided to include the Capital City of Harrisburg in your itinerary. We are certainly happy to have you with us.

I think we ought to have Miss Susie Callahan stand up alone so that we can give her an extra bit of applause, because I am sure she was the one who wanted you to stop in Harrisburg.

We have, of course, respected Ford City for a long time because of the presence of Senator Pechan in our Senate. Now we have other reasons for respecting Ford City. Thank you for dropping in.

BILLS INTRODUCED AND REFERRED

Messrs. VAN SANT and ROONEY, by unanimous consent, presented to the Chair **SB 792**, entitled:

An Act amending the act of May 15, 1933 (P. L. 624), entitled, as amended, "Banking Code," further providing for investments in common trust funds.

Which was committed to the Committee on Banking.

They also, by unanimous consent, presented to the Chair **SB 793**, entitled:

An Act amending the act of May 26, 1949 (P. L. 1828), entitled "Fiduciaries Investment Act of 1949," further providing for investments in common trust funds.

Which was committed to the Committee on Banking.

PERMISSION TO ADDRESS SENATE

Mr. VAN SANT asked and obtained unanimous consent to address the Senate.

Mr. VAN SANT. Mr. President, I was surprised to read in the Harrisburg paper today that delegates from the Pennsylvania Sons of Veterans of the Civil War, meeting in convention in Harrisburg yesterday, passed a resolution calling upon the State Legislature to make Me-

morial Day a holiday that must be observed in all schools throughout the Commonwealth.

At a business session, Monday, during the encampment of the Allied Orders of the Grand Army of the Republic here, the Sons of Veterans' Resolutions Committee pointed out that school children in Wyomissing Borough, Berks County, attended classes as usual on this past Memorial Day.

When this was called to my attention, I recalled that in the 1959 Session of the General Assembly, Senator Pechan and I sponsored a bill, amending the School Code, requiring the closing of all schools on Veterans Day and Memorial Day. At that time, we were assured that the schools were observing the closing on Memorial Day. Therefore, I was quite surprised when I read the paper this morning.

After consulting with my colleague, Senator Pechan, we decided that we would introduce the following bill. So, Mr. President, on behalf of my colleague, Senator Pechan, and myself, I am introducing this bill.

BILL INTRODUCED AND REFERRED

Messrs. VAN SANT and PECHAN, by unanimous consent, presented to the Chair **SB 794**, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," requiring the closing of schools on Veterans Day and Memorial Day.

Which was referred to the Committee on Education.

PERMISSION TO ADDRESS SENATE

Mr. STIEFEL asked and obtained unanimous consent to address the Senate.

Mr. STIEFEL. Mr. President, I want to make a brief statement about the bill which I am about to introduce.

Gradually, there emerges in Pennsylvania a picture of highway safety. However, there are certain phases of it which still have to be completed. One of them is the mechanical perfection of the automobile, and safeguards against fraudulent automobile mechanics, which I am going to go into in the future.

This bill is a product of Senator Pechan's thinking about two years ago. At that time, Senator Pechan and I jointly sponsored a bill, which was entombed in one of the committees. Maybe now it will see the light of day. This bill provides for the placing of the blood type and RH factor on operator's license cards, so that in case of an accident where blood transfusions have to be made, they can be made speedily without fateful delay.

On behalf of Senator Pechan, Senator Kalman and myself, I am introducing this bill.

BILL INTRODUCED AND REFERRED

Messrs. STIEFEL, PECHAN and KALMAN, by unanimous consent, presented to the Chair **SB 795**, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," providing for the placing of blood type and Rh factor on operators' license cards.

Which was committed to the Committee on Highways.

RECONSIDERATION OF HB 197

Mr. WEINER. Mr. President, I move that the Senate do now reconsider the vote by which House Bill No. 197,

Printer's No. 1156, failed of final passage on June 14, 1961.

The PRESIDENT. How did the Senator vote?

Mr. WEINER. Mr. President, I voted with the prevailing side.

Mr. LANE. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. LANE. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. WEINER. Mr. President, I request that House Bill No. 197 appear on tomorrow's Final Passage Calendar.

The PRESIDENT. There being no objection, the bill will appear on tomorrow's Final Passage Calendar.

RECONSIDERATION OF SB 343

Mr. STROUP. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 343, Printer's No. 362, failed of final passage on June 14, 1961.

The PRESIDENT. How did the Senator vote?

Mr. STROUP. Mr. President, I voted with the prevailing side.

Mr. VAN SANT. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. VAN SANT. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. WEINER. Mr. President, I request that Senate Bill No. 343 appear on tomorrow's Final Passage Calendar.

The PRESIDENT. There being no objection, Senate Bill No. 343 will appear on tomorrow's Final Passage Calendar.

REPORTS FROM COMMITTEE

Mr. MCGINNIS, by unanimous consent, from the Committee on Appropriations, reported, as committed, **SB 531, 633, 731, 732, 733** and **HB 455**; rereported, as committed, **SB 230, 498** and **HB 929**.

BILL INTRODUCED AND REFERRED

Messrs. LANE and SCOTT, by unanimous consent, presented to the Chair **SB 796**, entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code," further regulating certification of change in population as it affects change in classification of certain counties.

Which was committed to the Committee on Local Government.

The PRESIDENT. The Chair will now turn the gavel over to the gentleman from Philadelphia, Senator Donolow.

The PRESIDING OFFICER (Benjamin R. Donolow) in the Chair.

PERMISSION TO ADDRESS SENATE

Mr. WARE asked and obtained unanimous consent to address the Senate.

Mr. WARE. Mr. President, a few moments ago when

we were discussing an amendment to House Bill No. 1082, some reference was made by Senator Weiner to the failure of this Body to investigate the voting procedures in Chester County.

May I suggest to Senator Weiner, and my other colleagues here in this Senate, that if they have any knowledge or indication of any vote frauds in the county of Chester, I shall be happy to cosponsor a bill with them which might prevent the recurrence of such irregularities.

PERMISSION TO ADDRESS SENATE

Mr. WEINER asked and obtained unanimous consent to address the Senate.

Mr. WEINER. Mr. President, that is the best offer I have had this afternoon, but I am not going to avail myself of it. However, I want the gentleman to feel that this was not meant to be against Chester County, against Delaware or against Montgomery. These counties just happened to be close to Philadelphia and came to my mind immediately. I could have said, Elk, or Forest or some of the others, but I did not.

I also stated—if the gentleman remembers—that because I did not mention someone's county, I hope they will not feel slighted. We hope to get to them also. It was nothing personal against Chester County.

PERMISSION TO ADDRESS SENATE

Mr. WARE asked and obtained unanimous consent to address the Senate.

Mr. WARE. Mr. President, may I assure Senator Weiner that I understood that. However, the offer is valid, just the same.

SECOND READING CALENDAR

BILLS OVER IN ORDER

SB 23—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

HB 53—Without objection, the bill was passed over in its order at the request of Mr. PECHAN.

BILLS ON SECOND READING

HB 160 (Pr. No. 1018) and **SB 247 (Pr. No. 258)**—Read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

SB 342—Without objection, the bill was passed over in its order at the request of Mr. PECHAN.

BILL ON SECOND READING

HB 345 (Pr. No. 2303)—Read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

SB 353—Without objection, the bill was passed over in its order at the request of Mr. PECHAN.

SB 375—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

SB 413—Without objection, the bill was passed over in its order at the request of Mr. PECHAN.

BILL ON SECOND READING

SB 435 (Pr. No. 470)—Read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

SB 473—Without objection, the bill was passed over in its order at the request of Mr. PECHAN.

BILLS ON SECOND READING

SB 496 (Pr. No. 547) and **SB 568 (Pr. No. 925)**—Read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

SB 598, 611 and **613**—Without objection, the bills were passed over in their order at the request of Mr. PECHAN.

BILL ON SECOND READING

SB 664 (Pr. No. 774)—Read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

SB 715 (Pr. No. 829)—The first section was read.
On the question,
Will the Senate agree to the section?
Mr. WADE offered the following amendment:

Amend Sec. 1 (Sec. 1), page 3, line 14, by striking out "right of way" and inserting: curb edge of the paved highway or berm

It was agreed to.
The section was agreed to as amended.
The second section was read.
On the question,
Will the Senate agree to the section?
Mr. WADE offered the following amendment:

Amend Sec. 2, page 3, line 16, by striking out all of said line.

It was agreed to.
The section was agreed to as amended.
The title was read and agreed to.
Without objection, the bill, as amended, was passed over in its order at the request of Mr. WADE.

BILL OVER IN ORDER

SB 741—Without objection, the bill was passed over in its order at the request of Mr. PECHAN.

BILL ON SECOND READING

HB 990 (Pr. No. 2325)—Read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

HB 1025, 1085, 1098, 1099 and **1101**—Without objection, the bills were passed over in their order at the request of Mr. PECHAN.

BILL ON SECOND READING AMENDED

HB 1174 (Pr. No. 2152)—The first section was read and agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. WEINER offered the following amendments:

Amend Sec. 2, page 2, line 14, by striking out "AND" and inserting: and/or

Amend Sec. 2, page 2, lines 14 and 15, by striking out "OF HIGHWAYS AND BRIDGES AND EXCLUDES" and inserting: other than

They were agreed to.

The section was agreed to as amended.

The third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth, sixteenth and seventeenth sections and title were read and agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. WEINER.

BILL OVER IN ORDER

HB 1178—Without objection, the bill was passed over in its order at the request of Mr. PECHAN.

BILL ON SECOND READING

HB 1367 (Pr. No. 2327)—Read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

HB 1402—Without objection, the bill was passed over in its order at the request of Mr. PECHAN.

BILL ON SECOND READING

HB 1545 (Pr. No. 1928)—Read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

BILL ON SECOND READING POSTPONED

HB 1220 (Pr. No. 1393)—Without objection, the bill was called up from the Postponed Calendar by Mr. WEINER.

Mr. WEINER. Mr. President, I move that House Bill No. 1220, Printer's No. 1393, be recommitted to the Committee on State Government for the purpose of working out this problem which seems to be inherent in this measure.

Mr. LANE. Mr. President, I second the motion.

Mr. STROUP. Mr. President, may we be at ease for a moment?

The PRESIDING OFFICER. The Senate will be at ease.

(The Senate was at ease.)

Mr. WEINER. Mr. President, I now withdraw my motion to recommit House Bill No. 1220, Printer's No. 1393, and request that the bill remain on the Second Reading Postponed Calendar.

Mr. LANE. Mr. President, I withdraw my second to the motion.

The PRESIDING OFFICER. The motion to recommit having been withdrawn, and hearing no objection, House Bill No. 1220 will remain on the Second Reading Postponed Calendar.

REGULAR ORDER OF BUSINESS RESUMED

The PRESIDING OFFICER. Consideration of the Calen-

dar being completed, we will now revert to the regular order of business of today's Session.

BILL INTRODUCED AND REFERRED

Messrs. HAWBAKER and STROUP presented to the Chair **SB 797**, entitled:

An Act amending the act of May 3, 1933 (P. L. 242), entitled "Beauty Culture Law," removing the requirement that manicurists may only practice in a registered beauty shop.

Which was committed to the Committee on Education.

EXECUTIVE NOMINATIONS

EXECUTIVE SESSION

A motion was made by Mr. DEVLIN and Mr. LANE, That the Senate do now resolve itself into Executive Session for the purpose of considering certain nominations made by the Governor.

Which was agreed to.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. DEVLIN asked and obtained unanimous consent for immediate consideration of the nominations made by His Excellency, the Governor, and reported from committee at today's Session.

NOMINATIONS TAKEN FROM THE TABLE

Mr. DEVLIN. Mr. President, I call from the table for consideration the nominations reported from committee today.

The PRESIDING OFFICER. The Clerk will read the nominations.

The nominations were read by the Clerk as follows:

MEMBER OF THE BOARD OF TRUSTEES OF MANSFIELD STATE COLLEGE

June 12, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Raymond T. Law, 119 Church Street, Taylor, Lackawanna County, for appointment as a member of the Board of Trustees of Mansfield State College, until the third Tuesday of January 1967, and until his successor is appointed and qualified, vice Francis J. Cichocki, Southly Waverly, whose term expired.

DAVID L. LAWRENCE

MEMBER OF THE PENNSYLVANIA GAME COMMISSION

June 13, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Nicholas Biddle, 250 Moreland Road, Bethayres, Montgomery County, for reappointment as a member of the Pennsylvania Game Commission, until the third Tuesday of January 1969, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE

JUSTICE OF THE PEACE

June 14, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to

nominate for the advice and consent of the Senate Mrs. Carolyn G. Farner, R. D. 3, Newville, Cumberland County, for appointment as Justice of the Peace in and for the Township of Lower Mifflin, Cumberland County, until the first Monday of January 1962, to fill a vacancy.

DAVID L. LAWRENCE

MEMBER OF THE LYCOMING COUNTY BOARD OF ASSISTANCE

June 12, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Ann L. Berger (Democrat), 525 Seventh Avenue, Williamsport, Lycoming County, for appointment as a member of the Lycoming County Board of Assistance, until December 31, 1961, and until her successor is duly appointed and qualified, vice Mrs. Agnes H. Peston, Williamsport, resigned.

DAVID L. LAWRENCE

On the question,

Will the Senate advise and consent to the nominations?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarraff,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,	Stalsey,	Donolow,
Hays,	Mullin,		Presiding Officer

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. DEVLIN. Mr. President, I move that the Executive Session do now rise.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING

Mr. WEINER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

The bills were as follows:

SB 214, 531, 576, 610, 614, 615, 620, 622, 633, 672, 731, 732, 733, 746, 747, 751, 760, 768, 780, 788, HB 455, 519, 644, 837, 853, 945, 1075, 1077, 1150, 1213, 1293, 1344, 1346, 1347, 1350, 1353, 1407, 1414, 1447 and 1460.

And said bills having been read at length for the first time,

Ordered, To be laid aside for second reading.

PETITIONS AND REMONSTRANCES

Mr. PECHAN. Mr. President, early in the Session, I, along with several of the Senators, sponsored some legis-

lation which would make the Bureau of Mental Health a separate department, having autonomy and having the head of the department responsible only to the Governor. Incidentally, this very same legislation—the identical legislation—was introduced in 1959 and was then known as Senate Bill No. 912 and Senate Bill No. 913. These bills were the result of an investigation, which I chaired, of the Welfare Department. The majority of the committee felt that such a department should be separate from the Department of Public Welfare.

I want to call the attention of the Senate at this time to items that appeared in our newspapers, which I believe are symptomatic of what is going on in our mental health program. I refer to the announcement of Doctor John S. Solhaug, Assistant Superintendent of Mayview State Hospital, who says he is resigning effective June 30 because of the "bleak and dismal future" of the mental health program in Pennsylvania.

This is the second resignation from the staff at Mayview State Hospital in a very short time. Previously, Doctor Stephen D. Ward, Senior Clinical Director, announced he was resigning for the same reason.

I do not know anything about the problems of either of these gentlemen at Mayview State Hospital. However, when you have outstanding members of a mental hospital staff resigning in this manner and for this reason, I think it is time we take stock. I would like to see the Senate invite these gentlemen down here, and let us listen to what they have to say.

Why does our mental health program face a bleak and dismal future? What has been happening to our mental health program during the past three years?

As a Member of the Senate, I have voted for increased appropriations for mental health. Until now, we have practically doubled what has been given to this program in the way of money. I feel certain, in my own mind, that it is not a matter of money. The truth is that in the last fiscal period, the lapses made by the Governor included several million dollars which we appropriated in 1959 to the mental health program. The money was then used for Public Assistance. It is clear from this that it is not a question of appropriations.

What I believe these gentlemen are talking about is a growing suspicion that the mental health program is slowly being steered back into politics again. The Administration is taking more and more advice from the politicians, and less and less advice from the doctors, psychiatrists, and lay people who are genuinely interested in mental health.

I believe unless we take action now to halt this drift, all the gains we have made in fighting for mental health in recent years will be lost.

The big problem, as I see it and as people who are expert in the field see it, is personnel. It is getting and keeping competent and dedicated people. The problem of mental health is so great, and the competition is so keen, that we cannot afford to lose the dedicated people we have because we have failed to recognize the problems they face.

The time has come, in my view and in the view of those competent to judge in these matters, to make the mental health program a separate department of our State Government. We must give this program the status it deserves. We must place at the top of this program,

with the power to make decisions, a capable and able psychiatrist with whom are associated sympathetic and competent administrators.

I recognize there are two opposing views on this matter. There are those who believe that doctors and psychiatrists should confine themselves to the care and treatment of patients, and that the business of running our institutions should be left to competent administrators. I think that is what we have now in Pennsylvania.

I believe that the Secretary of Public Welfare is a very competent woman, and is doing the best job possible under the present setup. However, I also believe the present setup does not permit, and never will permit, the complete development of a mental health program which will attract and keep the kind of personnel we need in Pennsylvania to advance our mental health program.

As I said earlier, the big problem is personnel. We need additional personnel in every professional category, and even though we raise their salaries, we are not only not getting them, but we are not keeping the ones that we have. This clearly calls for a new approach. We should find out what is the trouble, and then act upon it or all the gains we have made will be lost.

We have a chance right now to improve our program immensely without it, in the end, costing us too much more than we are spending right now. The first step toward that improvement is the establishment of a separate Mental Health Department, whose head could concentrate on this one program and would not be forced to vie, within the department, with five other equally important but largely dissimilar programs.

Two Senate bills—Senate Bill No. 249 and Senate Bill No. 250—bipartisan in their sponsorship, which would establish a separate Mental Health Department, are now in the Senate Appropriations Committee. While I know it is unusual, I am proposing that the Senate Appropriations Committee set up a hearing and invite these two members of the staff of the Mayview State Hospital down here to tell us what they mean when they say the program faces a "bleak and dismal future." I think I know, but I want other Members of the Senate to know and the public to know, because, after all, it is the public which has the greatest stake in the mental health program.

I believe the Appropriations Committee should also give other interested parties a chance to be heard, including those who might be opposed to this legislation. If we do this, I am sure of what will be the outcome. We will pass these bills and establish our mental health program in a separate department because I feel that is the right thing to do.

I would like to say, Mr. President, that sometime ago when the bills were in the Committee on State Government, a public hearing was scheduled, and many people who are interested in this problem were invited to come to this public hearing. Without any advance notice,—I did not know it until after I came here—we found that the meetings were canceled. The bills were then—by courtesy of Senator Mullin, who was very gracious about it because he felt that the bills belonged in the Committee on Public Health and Welfare—rereferred to the Committee on Public Health and Welfare. They were reported to the floor, and then put into the hands of the

Committee on Appropriations. I see nothing wrong with that because the bills do carry appropriations, and some moneys that are appropriated to the entire Department of Public Welfare certainly would have to be earmarked as to the amount that is going to be spent on mental health.

I would like to take a few more moments and just read the names of some people who have written to me; people who are interested in this program and who feel that we should have a separate department. I am just going to read over these names. I am not going to give you the contents of the letters. You are all welcome to read them. They are all in favor of those bills.

Here is one from James M. Henninger, a doctor with the Pittsburgh Neuro-Psychiatric Society; Charles F. Taylor, Chief of the Psychiatric Staff of the York Hospital—

Mr. WEINER. Mr. President—

The PRESIDING OFFICER. For what purpose does the gentleman rise?

Mr. WEINER. Mr. President, the gentleman does not have to, but I would appreciate it if, after mentioning these people's names, he would let us know what they say, or the gist of their letters, in order for me to follow this discussion. Perhaps I would like to contact these people myself.

Mr. PECHAN. Mr. President, I will be very happy to give the gentleman the letters. I will turn them over to him and he can read what they say. They are all in favor of this. I will be very happy to give them to the gentleman as soon as I read off the names.

I have a letter from Leonard T. Beale, who was Chairman of the Governor's Advisory Council of the State's Mental Health Activities. I have a letter here from Doctor Kenneth E. Appel, Professor of Psychiatry and Chairman of the Department of the University of Pennsylvania. I have a letter here from Doctor M. Royden C. Astley, President of the Pennsylvania Psychiatric Society of Pennsylvania. I understand now that Pennsylvania Mental Health, Incorporated has come out strongly in favor of a separate department.

I have a letter from Doctor Robert A. Matthews, Professor of Psychiatry and Head of the Department of Jefferson Medical College, of Philadelphia. I have a letter here from Doctor Philip Q. Roche, of Conshohocken. He is a former President of the Pennsylvania Psychiatric Society. I have a letter from Doctor Herbert H. Herskovitz, of Ardmore; another letter from Doctor Frederick H. Allen, of the American Board of Psychiatry and Neurology, Incorporated; another one from Doctor Charlotte G. Babcock, Professor of Psychiatry, University of Pittsburgh; and another letter from Mrs. Alfred M. Sadler, First Vice President, Mental Health Association of Lehigh County. I have a letter from Mr. Arthur P. Noyes, of the Department of Public Welfare, Norristown State Hospital.

Mr. President, I feel that something should be done about the people who were invited here sometime ago to testify. Perhaps it is too late to do anything during this Session. However, we certainly do have a problem. When I first came to the Senate, our State mental institutions were custodial institutions. However, just in that short span of twelve or thirteen years, we have learned a great deal about mental health. Instead of patients being

held in custody, they should now be treated as sick patients. I understand, from the available statistics, that over sixty-five per cent of all those who are committed are returned back to society in six months. I think it behooves everyone of us to take a personal interest in this matter.

Mr. WEINER. Mr. President, I believe I was here at the time when Senator Pechan served on the committee to unify the Department of Welfare and the Department of Public Assistance. At that time, there were extensive hearings held and I believe—if I am incorrect, I hope the gentleman will correct me—the Senator served on this committee and he attended both the public hearings and meetings. At one point toward the end of the Session, he submitted one evening here at quite a late hour the report of the committee. The following week, around noontime, he went into the final phases and recommendations.

The Senator, myself, and other Members in this Chamber also went for this unification. My question is: Where were those people at that time? When we were delving into this problem and coming to conclusions about it, that would have been a good time for them to have brought this problem up.

It appears to me a little late at this date to claim there are politics in the department, which there are not. One of the criticisms made of the department is that there are not any politicians to deal with certain matters. The employees of the department are strictly on the basis of Civil Service, and they try to handle the matters as best they know how.

All of us have found ourselves that people living in the communities need the aid or assistance offered by the institutions under the Department of Public Welfare, and they cannot cope with these matters due to the fact there are not sufficient funds to handle all the myriad problems that come before the department.

At this stage, to start rebuilding this area and appoint a new commissioner and a new hierarchy is something that we ought to do some serious thinking about. Just because we are dissatisfied at the moment, I do not think this is the time to do this. We have been living under the unified program approximately three or four years and to decide this is bad, before giving it a real test, is unfair also.

One of the problems the Senator pointed out was the money. This is a very serious problem. The reason the bill remained in committee was in order for the committee to delve into the problem, and we do not know where the additional funds are coming from. There is nothing magic about holding a public hearing with professional people and general personnel testifying. There is always, as in politics,—and the two are akin to each other—fascism and one group might go to the extreme right and another group might go to the extreme left, and those who remain in the center are dissatisfied with both groups. You have this problem here as well. To throw this away, after taking the trouble to put it together, requires real mature judgment.

I did not mean to be rude and interrupt the gentleman when he was speaking, but I would like to see these letters and who these people are, and find out how they would suggest we get the money to do this job and some indication of how they truly feel about it. It might be

that they are dissatisfied with something in the department and they have their own candidates whom they want to get appointed. This is also true in politics and to accomplish this, they use this means to travel this road.

I respectfully suggest to Senator Pechan that we look at this matter before we jump into it in order to find out where we are going on this whole problem. I would like to take it up with the present Secretary and get her view before going any further. Senator Mullin is concerned about the problem and he spent quite a bit of time looking into it. The Committee on Public Health and Welfare can cope with this better because they are in touch with some of these professional people.

Mr. MULLIN. Mr. President, I want to join with Senator Pechan in his request for more serious consideration of the mental health program. I think this is one of the most important parts of our future program for mental health in Pennsylvania and America. We have not even begun to delve into the science of mental health.

I do think these doctors, who were mentioned by Senator Pechan, are certainly doing a big thing in trying to bring this to the attention of the people of Pennsylvania and the Legislature of Pennsylvania.

Senate Bill No. 249 was in committee and I did call for public hearings, but reported the bill out because nobody on the other side was ready for public hearings. The bill was then rereferred to the Committee on Appropriations.

In the course of having this bill in my committee, I interviewed Doctor Sielke, who is in charge of the Philadelphia State Hospital, and he did say that we do have a good mental health program, but we do not provide enough funds to put it across. He further stated that even after the funds are provided, it seems like an awful job trying to get personnel. Because of the slow process of getting personnel onto the payroll through the red tape of State Government, by the time they are ready to O.K. somebody, the man or the nurse and so on has a job some place else.

We do have a very tough job with these hospitals. However, I do believe that if we were to appropriate, as I think Doctor Sielke said, \$11,000,000 to the Philadelphia State Hospital, that he could manage very well provided he was allowed to spend just \$1,000,000. That was another big thing because every year they get an appropriation but before it can be spent, the year is over and it is back in the State Treasury again. We really appropriate more money than they get an opportunity to use.

I think if we could pay the doctors enough money—and it boils down to that. Senator Pechan did say that they wanted more qualified personnel and increased compensation for the personnel. I am speaking of professional personnel, nurses and doctors, because that is what the personnel consist of. The only political aspect may be the laboring men who are employed, but I do not think that has a thing to do with the mental health program.

I do think we ought to give this proper consideration, and I think that we can only do it by more public backing; backing by the newspapers and backing by people interested in mental health. We are making progress along those lines. Perhaps by the next Session we will have gained enough support in drawing public attention to this problem that we may get the requests being made in Senate Bill No. 249.

Mr. PECHAN. Mr. President, I want to thank the gentleman. I received some support from a source which surprised me. I want to thank the gentleman for what he said. His support for Senate Bill No. 249 really came as a surprise to me. I know that I have talked with him about the bill and he talked very favorably about it, but I did not know exactly where he stood or why he stood for it.

To follow up on what Senator Weiner said about the consolidation of the Department of Public Welfare, I think if Senator Weiner will look it up, he will find that it was my committee that finally drafted all the amendments. We spent days and days and days on these amendments in order to make the Department of Public Welfare a workable department. We thought we would save a great deal of money. It was sold to us on the premise that we would save money if this were in one department instead of having a mass of several bureaus.

Regarding the appropriation, Mr. President, I think that the Office of Mental Health, if it were allowed to spend the money which is appropriated in the budget for it each year, would not need one additional penny. I think the Commissioner of the Office of Mental Health, in the Department of Public Welfare, Doctor John E. Davis, is doing a very fine job. I think he is one of the outstanding men in the United States and I am afraid we are going to lose him. I am not putting him on the spot. I have not discussed this with him because I do not want to embarrass him.

Senator Weiner said he would like to see these letters. Senator Mullin mentioned the name of Doctor Sielke. I have letters from many, many other people who are working for the Department of Public Welfare, in these hospitals. I will not expose their letters because I do not want their jobs to be in jeopardy. However, I think, if you will talk to these people privately, you will find that they want to do a good job if they are permitted to do so.

Perhaps we are coming to the close of the Session and I would be only too happy if we would just take this one problem and study it. It probably cannot be passed this year, but let us highlight it. Every county, for instance, has a mental health group which is interested in this problem. If we can get those people alerted, and have everybody who is connected with this problem see what they can do about mental health,—as is being done in those States where they have a separate division and return a much larger percentage of people back to society—I think we will have done our job. I do not say that it must pass this year, but let us, at least, look at it and study it so that when we do come back, we will have something concrete to offer.

Mr. WEINER. Mr. President, I would just like to point out to the gentleman that, for many years, we went along under many Secretaries of Welfare. I am sure they were dedicated people, but, because of the lack of money, they were not able to do a job except to keep these people in custody. Along came Secretary Shapiro, who was a former Senator and who had some command of the situation and who got more money spent in the Department of Welfare than any other Secretary, I think, either before or since. Many of the things which he did were rather radical in the sense that they had never been done before and that they were a novel approach to an old problem.

All of us who were here at the time realized that he

was roundly criticized, lambasted and belabored for his pains. Yet, he did a remarkable job in the field of mental health. However, this dedicated man has left government service and a new person has taken over who does not have the same approach to the problem. I do not say that her approach is incorrect, but it is not the same approach. Therefore, maybe the people who started under Secretary Shapiro feel that they are being left out. This is a natural reaction which may take place, but it may not be a true one. I believe we have to wait and see, after three years under this present Administration, where we are going and where we are headed for. I think we should give it a fair chance to operate before we take any radical action ourselves.

REPORTS FROM COMMITTEE

Mr. KALMAN, on behalf of Mr. MURRAY, by unanimous consent, from the Committee on Labor and Industry, rereported, as committed, **HB 718**; reported, as committed, **SB 257, 692, 790** and **HB 1241**; as amended, **SB 536**.

BILLS ON FIRST READING

Mr. WEINER. Mr. President, I move that the Senate do now proceed to the first reading of the bills just reported from committee for the first time at today's session.

Mr. DEVLIN. Mr. President, I second the motion .

The motion was agreed to.

The bills were as follows: **SB 257, 536, 692, 790** and **HB 1241**.

And said bills having been read at length for the first time,

Ordered, To be laid aside for second reading.

ANNOUNCEMENTS BY THE SECRETARY

The following announcements were read by the Secretary of the Senate:

COMMITTEE MEETINGS

WEDNESDAY, JUNE 21, 1961

Eastern Daylight

Saving Time	COMMITTEE	ROOM
10:00 A. M.	BANKING	302
10:30 A. M.	EDUCATION	302
11:00 A. M.	MINES AND MINERAL INDUSTRIES	542
	REPUBLICAN CAUCUS	10:15 A. M., D. S. T.

WEDNESDAY, JUNE 21, 1961

The Committee on Forests and Waters, Game and Fish will hold hearings on Senate Bill 210 and House Bill 1258 on Wednesday, June 21, 1961, in the Democratic Caucus Room at 9:30 a. m., Daylight Saving Time.

ADJOURNMENT

Mr. WEINER. Mr. President, I move that the Senate do now adjourn until Wednesday, June 21, 1961, at 10:30 a.m., Eastern Standard Time.

Mr. DEVLIN. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:05 p.m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

TUESDAY, June 20, 1961.

The House met at 2 p.m., e.s.t.

The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

O God of all grace, and Father of all mankind, it is with utmost reverence and recognized dependence that we come before Thee in the quiet of this evening hour. We thank Thee for all Thy gracious bounty, and earnestly pray that Thou wilt continue to grant us out of Thy love. Especially, we ask Thee to bless these dedicated servants of Thine in the unfinished task which Thou hast called them to perform; and accomplish Thy kingdom in and through that which they do: through Jesus Christ, our Lord. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Wednesday, June 14, 1961, will be postponed until printed.

The Chair hears none.

BILLS INTRODUCED AND REFERRED

By Mr. McCANN. HOUSE BILL No. 1780.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), establishing the length of the school term and school day and providing additional compensation for service in excess of the daily session.

Referred to the Committee on Education.

By Mr. EILBERG. HOUSE BILL No. 1781.

An Act amending the act of July 31, 1941 (P. L. 605), entitled "An act relating to the summoning and service of jurors (except grand jurors) in the civil and criminal courts of the several counties of the Commonwealth, except counties of the first and second class," extending the provisions to counties of the first class.

Referred to the Committee on Judiciary.

By Messrs. GAILEY and HAUDENSHIELD, Mrs. MARKLEY (By Request) and Mr. McCANN.
HOUSE BILL No. 1782.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), establishing an Educational Research and Development Fund, granting certain powers and duties to the State Council of Education, and making an appropriation.

Referred to the Committee on Education.

By Messrs. GAILEY and HAUDENSHIELD, Mrs. MARKLEY (By Request) and Mr. McCANN.
HOUSE BILL No. 1783.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for the establishing of policies and standards for progress guidance counseling in the public schools and community colleges of the Commonwealth, for associated testing programs, and for training and certification of guidance counselors, granting certain powers and duties to the State Council of Education and Department of Public

Instruction, and providing for an Advisory Committee on Guidance and Counseling, and making an appropriation.

Referred to the Committee on Education.

By Messrs. GAILEY and HAUDENSHIELD (By Request), Mrs. MARKLEY (By Request) and Mr. McCANN.
HOUSE BILL No. 1784.

An Act amending "The Administrative Code of 1929", approved April 9, 1929 (P. L. 177), creating a State Professional Teacher Education Standards Board as a board within the Department of Public Instruction and granting to the board certain powers.

Referred to the Committee on Education.

By Messrs. GAILEY and GROSS, Mrs. MARKLEY (By Request) and Mr. McCANN.
HOUSE BILL No. 1785.

An Act amending "The Administrative Code of 1929", approved April 9, 1929 (P. L. 177), establishing the State Council of Education as an independent body and providing for its composition and organization.

Referred to the Committee on Education.

By Messrs. GAILEY and ZEMBER, Mrs. MARKLEY (By Request) and Mr. McCANN.
HOUSE BILL No. 1786.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), changing certain provisions for teacher certification and minimum salaries and salary increments for teachers, requiring permanent teacher certification for eligibility for sabbatical leave, increasing the compensation paid during sabbatical leave, abolishing mandated county institutes, providing for in-service teachers' education programs, increasing the minimum number of days in the school year and appropriating funds for the in-service teachers' education program.

Referred to the Committee on Education.

By Messrs. GAILEY and ZEMBER, Mrs. MARKLEY (By Request) and Mr. McCANN.
HOUSE BILL No. 1787.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), changing the fiscal year of school districts, changing the basis of reimbursement of school districts, providing for payments on account of handicapped and gifted children and for the discontinuance of certain other payments to school districts.

Referred to the Committee on Education.

REPORTS FROM COMMITTEES

Mr. McCANN from the Committee on Rules, reported as amended, House bill No. 1487, entitled:

An Act amending the "Real Estate Brokers License Act of one thousand nine hundred and twenty-nine," approved May 1, 1929 (P. L. 1216), changing the educational and training requirements for licensure, changing the place of hearing, specifying the nature and weight to be given to the report of a representative appointed by the Commission to hold hearings in connection with any of its disciplinary proceedings, providing for the taking of testimony and bringing auctioneers within the provisions of the act.

Mr. McCANN from the Committee on Rules, reported as amended, House bill No. 1656, entitled:

A Supplement to the act of April 29, 1874 (P. L. 73),

entitled "An act to provide for the incorporation and regulation of certain corporations," authorizing the incorporation of pipeline companies for the transportation and storage or distribution furnishing or supplying of a fluid substance known as coal slurry; * * *.

Mr. McCANN from the Committee on Rules, reported as committed, House Resolution No. 74.

Mr. McCANN from the Committee on Rules, reported as committed, Senate Concurrent Resolution Serial No. 122.

Mr. McCANN from the Committee on Rules, reported as committed, Senate Resolution Serial No. 111.

Mr. McCANN from the Committee on Rules, reported as amended, Senate Concurrent Resolution No. 108.

Mr. McCANN from the Committee on Rules, re-reported as committed, House bill No. 226, entitled:

An Act abolishing the penalty of death for any offense for which it presently is a penalty and providing life imprisonment as the sole penalty for any offense for which death is presently a penalty.

Mrs. MONROE from the Committee on Public Health and Sanitation, reported as committed House bill No. 1524, entitled:

An Act amending the "Nonprofit Corporation Law," approved May 5, 1933 (P. L. 289), making further provisions relating to nonprofit medical, dental and osteopathic service corporations; * * * so as to authorize the furnishing of chiropody services by doctors of chiropody.

Mrs. MONROE from the Committee on Public Health and Sanitation, reported as committed, House bill No. 1525, entitled:

An Act reenacting and amending the "Nonprofit Medical, Dental and Osteopathic Service Corporation Act," approved June 27, 1939 (P. L. 1125), including in the plan chiropody services and defining "chiropody services" for the purposes of this act only.

Mr. McCANN from the Committee on Rules, reported as committed, House bill No. 1769, entitled:

An Act amending the compact contained in the act of June 5, 1937 (P. L. 1664), entitled "An act to ratify and adopt a compact or agreement negotiated by commissioners designated by the Governor of the Commonwealth of Pennsylvania, and commissioners designated by the Governor of the State of Ohio, * * *" ratifying a change in the compact designating the lake area on which motor boats may be operated and providing penalties.

Mr. LUTTY from the Committee on State Government, reported as committed, Senate bill No. 350, entitled:

An Act to create a regional agency by intergovernmental compact for the planning conservation utilization development management and control of the water and related natural resources of the Delaware River Basin for the improvement of navigation reduction of flood damage regulation of water quality control of pollution development of water supply hydroelectric energy fish and wildlife habitat and public recreational facilities and other purposes and defining the functions powers and duties of such agency.

Mrs. MONROE from the Committee on Public Health and Sanitation, re-reported as amended, House bill No. 1541, entitled:

An Act relating to the manufacture sale and possession

of drugs devices and cosmetics conferring powers on the courts and the Secretary and Department of Health providing penalties and for the revocation or suspension of certain licenses making an appropriation to the Department of Health and repealing certain acts.

Mrs. KOOKER from the Committee on Public Health and Sanitation, re-reported as amended, House bill No. 1598, entitled:

An Act relating to the regulation of the practice of pharmacy including the sale use and distribution of drugs and amending revising consolidating and changes relating thereto.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1524, entitled:

An Act amending the "Nonprofit Corporation Law," approved May 5, 1933 (P. L. 289), making further provisions relating to nonprofit medical, dental and osteopathic service corporations; *** so as to authorize the furnishing of chiropody services by doctors of chiropody.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1525, entitled:

An Act reenacting and amending the "Nonprofit Medical, Dental and Osteopathic Service Corporation Act," approved June 27, 1939 (P. L. 1125), including in the plan chiropody services and defining "chiropody services" for the purposes of this act only.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1769, entitled:

An Act amending the compact contained in the act of June 5, 1937 (P. L. 1664), entitled "An act to ratify and adopt a compact or agreement negotiated by commissioners designated by the Governor of the Commonwealth of Pennsylvania, and commissioners designated by the Governor of the State of Ohio, * * *" ratifying a change in the compact designating the lake area on which motor boats may be operated and providing penalties.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 350, entitled:

An Act to create a regional agency by intergovernmental compact for the planning conservation utilization development management and control of the water and related natural resources of the Delaware River Basin for the improvement of navigation reduction of flood damage regulation of water quality control of pollution development of water supply hydroelectric energy fish and wildlife habitat and public recreational facilities and other purposes and defining the functions powers and duties of such agency.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

BILL RE-REFERRED

Mr. McCANN from the Committee on Rules, returned with the recommendation that it be re-referred to the Committee on Education, House bill No. 1497, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing that when the question of forming a union or merged district is submitted to the electors of two or more districts for approval, the majority of directors from the constituent districts may agree on a director representation and in such event the director representation shall be incorporated on the question submitted to the electors for approval and upon approval by the electors such director representation shall prevail.

The SPEAKER. The bill is re-referred to the Committee on Education.

COMMUNICATION FROM GOVERNOR

The Secretary to Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos. 132, 146, 242, 246, 308, 323, 351, 369, 408, 451, 452, 483, 485, 490, 495, 501, 502, 503, 508, 638, 639, 731, 734, 740, 758, 759, 760, 762, 770, 803, 832, 856, 873, 876, 936, 970, 994, 1017, 1036, 1049, 1086, 1115, 1116, 1131, 1146, 1184, 1192, 1204, 1254, 1371.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg.

June 14, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 132, printer's No. 1949, entitled "An Act relating to the establishment operation and maintenance of the State Library and public libraries in the Commonwealth amending revising consolidating and changing the laws relating thereto imposing duties upon public officers providing for State and local cooperation and assistance in the establishment and maintenance of libraries prescribing penalties and repealing existing laws."

DAVID L. LAWRENCE

June 19, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 146, printer's No. 146, entitled "An Act amending the act of December 22, 1951 (P. L. 1726), entitled 'Pennsylvania Loyalty Act' providing for the filing of loyalty oaths by persons nominated or elected as write-in candidates."

DAVID L. LAWRENCE

June 14, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 242, printer's No. 250, entitled "An Act amending the act of April 22 1953 (P. L. 184), entitled 'An act to continue the imposition of the tax on gross premiums premium deposits and assessments received from business transacted within this Commonwealth by foreign insurance companies associations and exchanges' further providing for the distribution of amounts received from tax on foreign fire insurance companies."

DAVID L. LAWRENCE

June 15, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 246, printer's No. 254, entitled "An Act providing for the imposition of certain taxes upon the transfer of property passing from a decedent who was a resident of the Commonwealth at the time of his death or presumed death and of property having its situs in the Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death or presumed death imposing additional taxes to equal Federal Estate Tax Credits defining and taxing certain transfers made in contemplation of death or to take effect in possession or enjoyment at or after death defining as a transfer and taxing the right of survivorship in certain property as to which such right exists defining and exempting from tax transfers to certain persons or for certain purposes or of certain property providing for the valuation of property and interests in property the transfer of which is subject to tax defining and allowing deductions from the value of property the transfer of which is subject to tax providing for the persons ultimately liable for taxes in the absence of a direction by the decedent to the contrary providing for the reporting of transfers and collection of taxes imposing penalties upon banks or other financial institutions for failure to give notice to the Department of Revenue of the death of a party to a joint or trust deposit therein and upon persons who fail to file tax returns and documents providing for the compromise of taxes in the case of alleged nonresidents of the Commonwealth making it unlawful for any person to make a false return or report providing for liens upon real property the transfer of which is subject to tax and release thereof authorizing the Secretary of Revenue to bring suits in other jurisdictions for the collection of taxes and authorizing officials of other jurisdictions to bring suits in the Commonwealth for the collection of death taxes imposed by their jurisdictions providing for the refund of taxes to which the Commonwealth is not rightfully or equitably entitled providing for appeals and protests from the imposition of taxes regulating the entry into safe deposit boxes of a decedent by certain persons and providing penalties dealing with the jurisdiction powers and procedure of the orphans' court Secretary of Revenue Department of Revenue Attorney General and register of wills in matters relating to taxes and citing certain acts for repeal."

DAVID L. LAWRENCE

June 19, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 308, printer's No. 1946, entitled "An Act amending the act of July 25, 1917 (P. L. 1195), entitled 'An act for the encouragement of agriculture and the holding of agricultural exhibitions providing State aid for certain agricultural associations and regulating the payment thereof' further providing for the paying of premiums imposing powers and duties on the Secretary of Agriculture further determining what associations are to receive money from the Commonwealth and deleting certain war time and obsolete provisions."

DAVID L. LAWRENCE

June 19, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 323, printer's No. 1357, entitled "An Act amending the act of May 21, 1943 (P. L. 571), entitled as amended 'The Fourth to Eighth Class County Assessment Law' specifically exempting from taxation all property used for LIMITED ACCESS highways."

DAVID L. LAWRENCE

June 19, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 351, printer's No. 1435, entitled "An Act amending the act of January 18, 1952 (P. L. 2111), entitled 'An act to provide for minimum compensation and increments for administrators and members of the faculty of State Teachers Colleges providing for leaves of absence imposing certain duties upon the Boards of Trustees and Presidents of State Teachers Colleges and the Superintendent of Public Instruction and repealing inconsistent laws' further regulating leaves of absence for presidents and faculty members of State Colleges."

DAVID L. LAWRENCE

June 19, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 639, printer's No. 1951, entitled "An Act requiring employers to pay for medical examination fee where such examination is a condition for employment AND PROVIDING A PENALTY."

DAVID L. LAWRENCE

June 19, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 408, printer's No. 445, entitled "An Act amending the act of May 1, 1933 (P. L. 103), entitled 'The Second Class Township Code' permitting expenditures for fire protection from the general township fund authorizing contracts for fire protection to be made without the approval of the township auditor and providing that the consent of the electors to a tax for fire protection purposes shall only be required when the purpose of the tax is to provide a place for housing fire apparatus."

DAVID L. LAWRENCE

June 19, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 451, printer's No. 490, entitled "An Act authorizing the Department of Forests and Waters to acquire approximately five acres of land in Milford Township Juniata County for State forest administrative purposes."

DAVID L. LAWRENCE

June 19, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 452, printer's No. 890, entitled "An Act amending the Act of April 9, 1929 (P. L. 177), entitled 'The Administrative Code of 1929' authorizing the Department of Forests and Waters to exchange State park land."

DAVID L. LAWRENCE

June 19, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 483, printer's No. 1862, entitled "An Act amending the act of May 22, 1935 (P. L. 233), entitled 'An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employees of the Bureau of Police in cities

of the second class providing a pension fund for said employees and providing for the payment of certain dues fees assessments fines and appropriations thereto regulating membership therein creating a board for the management thereof providing the amount mode and manner of payment to beneficiaries thereof and for the care and disposition of said fund providing for the payment into this fund by cities of the second class of all monies heretofore payable into any other funds organizations corporations or associations having the same or similar purposes and of such additional monies as may be necessary to carry out the provisions of this act' further providing for medical examinations of pensioners and providing for return to active duty upon discontinuance of pension."

DAVID L. LAWRENCE

June 15, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 485, printer's No. 1893, entitled "An Act to encourage and permit the prospecting for and development of certain valuable minerals on State forest land and providing for the waiver of competitive bidding requirements therefor."

DAVID L. LAWRENCE

June 19, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 490, printer's No. 1833, entitled "An Act amending the Act of March 17, 1921 (P. L. 32), entitled 'An Act authorizing the erection and construction by counties of memorial halls in memory of the soldiers sailors and marines of such counties providing for an election to determine whether such hall shall be erected providing for the purchase and condemnation of property for such purposes regulating the use of such halls and providing for the maintenance and care of the same by a board of control at the expense of the county' correcting the name of the Italian American WORLD War Veterans of the United States Incorporated to conform with name in its charter."

DAVID L. LAWRENCE.

June 19, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 495, printer's No. 1834, entitled "An Act amending the act of July 28, 1953 (P. L. 723), entitled 'Second Class County Code' correcting the name of the Italian American WORLD War Veterans of the United States Incorporated to conform with name in its charter."

DAVID L. LAWRENCE.

June 19, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 501, printer's No. 1835, entitled "an Act amending the act of July 28, 1953 (P. L. 723), entitled 'Second Class County Code' correcting the name of the Italian American WORLD War Veterans of the United States Incorporated to conform with name in charter."

DAVID L. LAWRENCE.

June 19, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 502, printer's No.

1836, entitled "An Act amending the act of August 9, 1955 (P. L. 323), entitled 'The County Code' by correcting the name of the Italian American WORLD War Veterans of the United States Incorporated to conform with name in charter."

DAVID L. LAWRENCE.

June 19, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 503, Printer's No. 2063, entitled "An Act amending the act of June 24, 1939 (P. L. 872), entitled 'The Penal Code' changing the name of ITALIAN AMERICAN World War Veterans of the United States Incorporated DEPARTMENT OF PENNSYLVANIA to conform with its charter."

DAVID L. LAWRENCE.

June 19, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 508, Printer's No. 551, entitled "An Act amending the act of April 9, 1929 (P. L. 343), entitled 'The Fiscal Code' authorizing the Treasury Department to invest certain moneys of the Commonwealth in certain types of prime commercial paper."

DAVID L. LAWRENCE.

June 19, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 638, printer's No. 1952, entitled "An Act amending the act of March 10, 1949 (P. L. 30), entitled 'Public School Code of 1949' providing for annual estimates of expenses."

DAVID L. LAWRENCE.

June 19, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 639, printer's No. 1306, entitled "An Act amending the act of May 23, 1949 (P. L. 1669), entitled as amended 'An act to provide revenue for school districts of the first class by imposing a tax on persons engaging in certain businesses professions occupations trades vocations and commercial activities therein providing for its levy and collection conferring and imposing powers and duties on the Board of Public Education receiver of school taxes and school treasurer in such districts and prescribing penalties' removing the statute of limitations in certain cases."

DAVID L. LAWRENCE.

June 19, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 731, printer's No. 1443, entitled "An Act amending the act of May 1, 1933 (P. L. 103), entitled 'An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto' increasing the daily expense allowance for delegates to meetings of the State associations of township officers."

DAVID L. LAWRENCE.

June 15, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 734, printer's No. 1956, entitled "An Act amending the act of May 22, 1933 (P. L. 853), entitled 'The General County Assessment Law' requiring properly certified duplicates of valuations of property and occupations taxable for county purposes to be furnished EXCEPT IN COUNTIES OF THE SECOND CLASS to borough councils and to supervisors of townships of the second class and permitting taxes to be levied on duplicates issued for the previous year if such duplicates are not issued by the first day of April."

DAVID L. LAWRENCE.

June 15, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 740, printer's No. 813, entitled "An Act amending the act of March 10, 1949 (P. L. 30), entitled 'Public School Code of 1949' excluding music from supplies of the second class."

DAVID L. LAWRENCE.

June 14, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 758, printer's No. 831, entitled "An Act making an appropriation to the Department of Commerce for the Pennsylvania Industrial Development Authority."

DAVID L. LAWRENCE.

June 15, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 759, printer's No. 1911, entitled "An Act making an appropriation to the Department of Commerce for rendering financial assistance to industrial development agencies engaged in promoting the development and expansion of business industry and commerce in the respective counties of the Commonwealth."

DAVID L. LAWRENCE.

June 14, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 760, printer's No. 1912, entitled "An Act making an appropriation to the Department of Commerce for housing and redevelopment assistance."

DAVID L. LAWRENCE.

June 15, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 762, printer's No. 835, entitled "An Act making an appropriation to the Water and Power Resources Board of the Department of Forests and Waters for payment into the Flood Control Fund for flood control purposes."

DAVID L. LAWRENCE.

June 15, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day

approved and signed House bill No. 770, printer's No. 1913, entitled "An Act making appropriations to the Department of Property and Supplies for the payment of grants to various municipalities or municipal authorities for the Commonwealth's share of expenses and charges in connection with SEWAGE SYSTEMS expansions."

DAVID L. LAWRENCE.

June 15, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 803, printer's No. 876, entitled "An Act making an appropriation to the Department of State for the administration of the Municipal Employees Retirement System."

DAVID L. LAWRENCE.

June 15, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 832, printer's No. 1566, entitled "An Act amending the act of April 12, 1951 (P. L. 90), entitled 'Liquor Code' authorizing payments for liquor and malt or brewed beverages with checks and drafts on banks banking institutions trust companies and similar depositories penalizing the issuance of worthless checks by certain licensees and requiring reports of such checks to the board."

DAVID L. LAWRENCE.

June 19, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 856, printer's No. 1556, entitled "An Act amending the Act of May 25, 1933 (P. L. 1050), entitled 'An Act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employees of the bureau of fire in cities of the second class creating a board for the management thereof providing the mode and manner of payment to beneficiaries and for the care and disposition of its funds and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created' providing for payments to dependent parents."

DAVID L. LAWRENCE.

June 19, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 873, printer's No. 958, entitled "An Act amending the act of June 24, 1937 (P. L. 2045), entitled as amended 'The Support Law' qualifying the liability of property owners with respect to minor children."

DAVID L. LAWRENCE.

June 15, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 876, printer's No. 961, entitled "An Act amending the act of April 9, 1929 (P. L. 177), entitled 'The Administrative Code of 1929' limiting the Department of Public Welfare's power in purchasing services."

DAVID L. LAWRENCE

June 15, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 936, printer's No. 1948, entitled "An Act amending the act of December 27, 1951 (P. L. 1742), entitled as amended 'The Realty Transfer Tax Act' exempting from the imposition of this tax conveyance in lieu of condemnation and acquisitions by municipalities of tax delinquent properties at sheriff sale."

DAVID L. LAWRENCE

June 19, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 970, printer's No. 1558, entitled "An Act amending the act of May 22, 1935 (P. L. 233), entitled 'An act creating and establishing a fund for the care, maintenance and relief of aged, retired and disabled employees of the Bureau of Police in cities of the second class providing a pension fund for said employees and providing for the payment of certain dues, fees, assessments, fines and appropriations thereto regulating membership therein, creating a board for the management thereof, providing the amount, mode and manner of payment to beneficiaries thereof and for the care and disposition of said fund providing for the payment into this fund by cities of the second class of all monies heretofore payable into any other funds, organizations, corporations or associations having the same or similar purposes and of such additional monies as may be necessary to carry out the provisions of this act' providing for certain payments to dependent parents when there is no widow or no surviving children."

DAVID L. LAWRENCE

June 19, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 994, printer's No. 1096, entitled "An Act relating to the uniform rendition of prisoners as witnesses in criminal proceedings."

DAVID L. LAWRENCE

June 19, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 1017, printer's No. 1119, entitled "An Act amending the act of May 22, 1933 (P. L. 853), entitled 'The General County Assessment Law' exempting in certain cases and to a certain extent concert music halls maintained by public or private charities from taxation."

DAVID L. LAWRENCE

June 19, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 1036, printer's No. 1145, entitled "An Act amending the act of April 12, 1951 (P. L. 90), entitled 'Liquor Code' further regulating the issuance and transfer of malt and brewed beverage licenses."

DAVID L. LAWRENCE

June 19, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 1049, printer's No. 1166, entitled "An Act amending the act of April 12, 1951

(P. L. 90), entitled 'Liquor Code' exempting airport restaurants on State owned or operated airports from quota law."

DAVID L. LAWRENCE

June 15, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 1086, printer's No. 1203, entitled "An Act amending the act of June 24, 1937 (P. L. 2051), entitled 'Public Assistance Law' making editorial changes removing certain functions vested in the State Board of Public Assistance providing for work relief projects and the establishment of county boards and their powers and duties and further providing for the disposition of Federal contributions."

DAVID L. LAWRENCE

June 15, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 1115, printer's No. 1247, entitled "An Act amending the act of March 10, 1949 (P. L. 30), entitled 'Public School Code of 1949' providing for the retention of seniority upon a merger jointure or union of districts."

DAVID L. LAWRENCE

June 15, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 1116, printer's No. 1248, entitled "An Act amending the act of March 10, 1949 (P. L. 30), entitled 'Public School Code of 1949' authorizing indebtedness of school districts and insured deposits to be used in lieu of bonds or securities which are required to be deposited by school depositories."

DAVID L. LAWRENCE

June 15, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 1131, printer's No. 1263, entitled "An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 98.918 acres more or less of land situate in Kilbuck Township Allegheny County."

DAVID L. LAWRENCE

June 15, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 1146, printer's No. 1642, entitled "An Act amending the act of May 16, 1919 (P. L. 193), entitled 'An act to provide for the licensing and regulation of public dance halls and ball rooms and for the regulation supervision of public dances and balls in cities of the first second and third classes' increasing license fees IN CITIES OF THE FIRST CLASS."

DAVID L. LAWRENCE

June 15, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 1184, printer's No. 1892, entitled "An Act amending the act of May 23, 1949 (P. L. 1669), entitled as amended 'An act to provide revenue for school districts of the first class by imposing

a tax on persons engaging in certain businesses, professions, occupations, trades, vocations and commercial activities therein providing for its levy and collection conferring and imposing powers and duties on the Board of Public Education receiver of school taxes and school treasurer in such districts and prescribing penalties' further defining 'receipts' to exclude fresh or frozen seafood, shell-fish and fish and making such definitions retroactive."

DAVID L. LAWRENCE

June 15, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 1192, printer's No. 1356, entitled "An Act amending the act of November 12, 1959 (Appropriation Act 38-A), entitled 'The General Appropriation Act of 1959' restoring certain amounts appropriated to the Department of Public Instruction and the Department of State which the Legislature deleted and declared its intention to restore."

DAVID L. LAWRENCE

June 15, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 1204, printer's No. 1580, entitled "An Act providing for the abatement of nuisances arising out of unsafe buildings or premises in cities of the first class and providing for the service or posting of notices relating to the work necessary to abate such nuisances."

DAVID L. LAWRENCE

June 14, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 1254, printer's No. 1448, entitled "An Act amending the Act of April 25, 1929 (P. L. 723), entitled 'An Act regulating the investment of funds by administrative departments boards commissions and officers of the State Government' authorizing investment in certain obligations secured by a mortgage and by the assignment of moneys due under a lease."

DAVID L. LAWRENCE

June 19, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 1371, printer's No. 1622, entitled "An Act amending the act of May 28, 1915 (P. L. 596), entitled 'An act requiring citeis of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions' regulating credit for pension for previous employment by the city in the bureau of fire or bureau of police."

DAVID L. LAWRENCE

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

VETO OF HOUSE BILL No. 326.

Commonwealth of Pennsylvania
Governor's Office, Harrisburg

June 19, 1961

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I return herewith, without my approval, House bill No.

326, printer's No. 1831, entitled "An Act amending the act of June 23, 1931 (P. L. 932), entitled 'An act relating to cities of the third class and amending revising and consolidating the law relating thereto' changing the annual vacation of police officers."

This bill would amend Section 2004 of "The Third Class City Code," which is concerned with the hours of service; exceptions; and vacations of police officers. The amendatory language provides that members of the police department shall have an annual vacation of not less than fourteen working days and those who have been employed as such for less than one year shall have an annual vacation of not less than two weeks.

The law presently provides in Section 2004 that cities shall permit every member of the police department to have an annual vacation of not less than fourteen days without diminution of the salary or compensation fixed by ordinance.

In Section 2001 of "The Third Class City Code" it is provided that:

"* * * Council shall prescribe all necessary rules and regulations for the organization and government of the police force."

This bill is an unnecessary interference with the principle of home rule. A survey made from this office indicates that one half of the cities involved now give a two-week vacation with pay. To have the State Government arbitrarily increase such allowance to almost three weeks without regard to the financial condition of those municipalities, would be most inappropriate. I hasten to add that the present law establishes the two weeks as a minimum and that all of the cities possess the authority to establish longer vacation schedules as this bill would have done.

It is unfortunate that the time limitation does not permit the bill to be recalled for further consideration and, therefore, for the above reasons the bill is not approved.

DAVID L. LAWRENCE.

COMMUNICATION AND BILL LAID ON TABLE

Mr. McCANN. Mr. Speaker, I move that the communication from the Governor together with the bill be laid on the table.

The motion was agreed to.

PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. FINEMAN asked and obtained permission for the Committee on State Government to meet during the session of the House.

Mr. HAMILTON asked and obtained permission for the Committee on Insurance to meet during the session of the House.

PERMISSION TO ADDRESS HOUSE

Mr. A. W. JOHNSON asked and obtained unanimous consent to address the House.

Mr. Speaker, last week we had something to say about reapportionment. Before I left to go home last week we had before us this newspaper called "The Observer" and every now and then we get some pretty hot tips from that particular paper. My attention was called to the article in there about reapportionment, and I will just read what it says and then I want to comment on the situation that this would result in.

Mr. Green, of Philadelphia, is supposed to have said that if the city organization is pressed too hard on reapportionment, Green may "go for broke." "We are not hogs," said this source, "but if they do not agree to let

us have our six seats in the new Congress, we may wind up by electing 12 or more."

If all of the State's Congressmen under the new quota as fixed by the 1960 census have to run at-large the politico made it clear that Philadelphia's tremendous Democratic majority could easily vote for any number it chose and see that those Green favored would be elected.

When I got home I talked to our election officials there and asked them what would happen in a typical county like McKean if congressmen ran at-large. The observation was made that on each party there could be from 200 to 300 candidates who would seek the congressional nomination in the spring primary.

Why would that be so? It would be so because a person could file a nominating petition for congress and run a chance on getting the draw, so that he would be in the first 27 congressmen, so that his position on the ballot would be within the first 27. That would be the reason for attracting a large number of candidates who would fare well on just the chance of a draw. I could well become a congressman of the United States by running these candidates at-large.

What would happen in the typical small voting district which has voting machines? In my community they would not have room on the voting machines for this large number of candidates. Therefore, we would put on the voting machines just the candidates for congress, governor, lieutenant-governor, members of the General Assembly of both parties. That is about all the machine would handle. Then we would have to provide separate secret polling booths for those who would vote for Congress and we would then give them a ballot, two by three feet with 400 names on it, as the case might be, and they would then go into the secrecy of the polling booth and with a pencil mark the ballot for their first 27 congressmen for nomination in the primaries, which I am now talking about.

Now another big problem we envision would be the absentee ballot. They are specially printed. If we have an absentee ballot especially printed and with these 300 or 400 names on them, it would be quite a big parcel to mail out. It would take special mailing envelopes and so forth in order to send out the absentee ballots. That would mean a cost of, someone estimated, at least a dollar apiece to have that special type of absentee ballot printed. It is estimated that the cost of a special ballot for congressmen to run at-large, plus the cost of the absentee ballot, if you print from 5 to 10 million ballots in the State, depending on the number they feel will be necessary to provide everybody with a ballot and a sample ballot, it could well cost \$500,000 to \$1 million for getting the ballots printed, that is, the absentee ballots and the State ballot itself. So, it would then mean that we would have the most chaotic, the most expensive, and I say the most unfair, election of congressmen that we have ever had in history.

Why? It is unfair because a congressman should be elected from his own back door, not be elected by the State at-large.

It would be chaotic because it would take all day long to conduct your vote and with the double voting it would almost be impossible to handle the large number of people who would want to vote in a primary.

Here is another case where chaos could prevail:

I looked in the Philadelphia phone book. There are 60 people there by the name of Bill Green. I am sure that four or five of them would like to run for Congress. The point of chaos would be the similarity of names just in a city like Philadelphia. There are a lot of Bill Greens all over Pennsylvania, I am sure, that would like to run for Congress and could do it on an at-large basis.

I suppose most Republicans could say, "Well, with that type of election and the chaos that prevails, why fight so hard about reapportionment? If the Democrats give you a rough time, give in to them and let them run at large." But we cannot do that. We should, as I said last week, sit down together, let everybody get together and come up with a fair reapportionment bill. If Philadelphia should lose one congressman, they ought to give in and lose one. If Republicans are to lose one or two, and that is the way the die is cast, we should. But we should sit down and have a reapportionment bill this week so we can end this session.

I understand, to repeat what I said last week, that Senator Weiner says we are going to be out of here in three weeks' time. That I want to see. But you are going to get out if we get reapportionment. Then these appropriation bills can pass and things will really hum around here.

Now another thing before I sit down. The non-preferred appropriation bills in the 1955 session did not pass until March of 1956. In the '59 session the non-preferred appropriations did not pass until the latter part of November 1959.

We all want to work together. We want to get this reapportionment bill. We do not want this chaos to reign throughout the State if we have to run these congressmen at-large.

REPUBLICAN WOMEN WELCOMED

The SPEAKER. The Chair notes the presence in the gallery of the Southern Berks County Council of Republican Women. They are guests of the gentleman from Berks, Mr. Weidner.

BIRTHDAYS

The SPEAKER. We have a birthday today. The gentleman from Schuylkill, Mr. Long, has a birthday. Is the head of the music division here? The Chair recognizes Mr. Dengler.

Mr. DENGLER. Let us all join in singing "Happy birthday, dear William."

The SPEAKER. The Chair recognizes the gentleman from Schuylkill, Mr. Long.

Mr. WILLIAM JOSEPH LONG. Mr. Speaker, members of the House, I thank you very much. I never thought I would live to see the day when I would have a hundred and some Republicans sing happy birthday to me. Thank you.

Mr. McCANN. Mr. Speaker, I also bring to the attention of the House that I believe last Saturday was the birthday of the gentleman from Philadelphia, Mr. Gelfand. Am I correct?

The SPEAKER. Did we miss the gentleman from Philadelphia, Mr. Gelfand? Is there some way of making up for that neglect, Mr. Dengler?

We will wish him a happy next birthday.

Mr. DENGLER. Let us all sing, "Happy birthday, dear Gene."

Mr. GELFAND. Mr. Speaker, I know the members of the House know that I am generally not at a loss for words except on an occasion like this when I do not know what to say. However, it is with the deepest gratitude to all the members that I say thank you. Certainly some of the most pleasant associations that I have had in my entire life I owe to the members of this House. So, sincerely and with the utmost heartfelt thanks I say that I hope that our relationship continues for a long, long time into the future.

LEAVES OF ABSENCE

By unanimous consent leaves of absence were granted as follows:

Mr. Dougherty for Mr. KLEIN for today because of illness in the family.

Mr. Tompkins for Mr. WILLARD for today and tomorrow's session.

BILLS INTRODUCED AND REFERRED

By Messrs. KAMYK, McCANN, PETROSKY
and POLEN. HOUSE BILL No. 1788.

An Act imposing taxes for State purposes upon legal and equitable interests in certain investments and securities, as defined; providing for tax assessments, collections and liens; * * * conferring powers and imposing duties on certain State officers and departments; and imposing penalties.

Referred to the Committee on Ways and Means.

By Messrs. KAMYK, McCANN, PETROSKY
and POLEN. HOUSE BILL No. 1789.

An Act to provide revenue for Commonwealth purposes by imposing an excise tax on rents, royalties, interest, dividends and capital gains from investment capital as defined of individual residents and nonresidents of the Commonwealth and of estates and trusts, fixing the rates of tax thereon, providing for the reporting and payment of tax, interest and penalties, assessment, collections, liens, reviews, appeals, refunds and penalties, and conferring powers and imposing duties upon the Department of Revenues, fiduciaries, partnerships, associations and individuals.

Referred to the Committee on Ways and Means.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 131, entitled:

An Act defining and relating to installment land contracts in cities of the first class and providing for and regulating the rights and obligations between parties to such contracts under certain terms and conditions.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 293, entitled:

An Act amending the act of May 15, 1874 (P. L. 186), entitled "An act declaring what offices are incompatible" making the offices of mayor controller and treasurer of

third class cities and members of the legislature incompatible.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 386, entitled:

An Act amending the act of June 17, 1913 (P. L. 507), entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes * * *" changing the date for transmitting returns except in cities coextensive with counties.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 459, entitled:

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333), providing for notice to persons nominated by write-in votes.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 884, entitled:

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333), removing prohibition against unincorporated associations making political contributions.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1274, entitled:

An Act amending the act of March 7, 1901 (P. L. 20), entitled "An act for the government of cities of the second class" authorizing officials officers and agencies thereof to issue subpoenas for the purposes of certain hearings and investigations held by them.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1306, entitled:

An Act amending the act of May 29, 1956 (P. L. 1804), entitled "An act providing for the establishment of police pension fund or pension annuities in certain boroughs towns and townships * * *" authorizing boroughs towns and townships maintaining a police force of one or more members to establish a police pension fund or police annuity.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1427, entitled:

An Act amending the act of April 26, 1933 (P. L. 89), entitled "An act authorizing any city of the second class in this Commonwealth to sell or dispose of its interest in property condemned for public park or for any public use * * *" authorizing the property to be leased or to be used for other city purposes and removing certain limitations on sale and disposition of the city's right title and interest in property.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1500, entitled:

An Act amending the act of June 11, 1935 (P. L. 326), entitled "An act relating to counties of the first class defining deceased service persons providing for contributions by the county to the funeral expenses for such persons and their widows providing for the erection and care of markers headstones and flags and for the compilation of war records" further regulating contributions made by county commissioners toward funeral expenses of deceased service persons and their widows.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1554, entitled:

An Act amending the act of May 28, 1915 (P. L. 596), entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions" authorizing the withdrawal of service increment contributions by persons who retire before becoming entitled to any service increment.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1565, entitled:

An Act amending the "Second Class County Code" approved July 28, 1953 (P. L. 723), further regulating contributions made by county commissioners toward funeral expenses of deceased service persons and their widows.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1579, entitled:

An Act amending the act of November 21, 1959 (Appropriation Act No. 47-A) entitled "An Act making an appropriation to the Department of Forests and Waters for the development of Erie Harbor and land adjacent thereto" removing provisions relating to completion of the Duquesne Marine Terminal facilities.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1585, entitled:

An Act amending "The Fourth to Eighth Class County Assessment Law," approved May 21, 1943 (P. L. 571), authorizing the reassessment of property in certain cases and imposing liability for taxes upon the owners thereof repealing inconsistent acts.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1586, entitled:

An Act amending the act of June 26, 1931 (P. L. 1379), entitled "An act creating in counties of the third class a board for the assessment and revision of taxes providing for the appointment of the members of such board by the county commissioners.* * *" authorizing the reassessment of property in certain cases and imposing liability for taxes upon the owner thereof repealing inconsistent acts.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1665, entitled:

An Act amending the "Local Tax Enabling Act," approved June 25, 1947 (P. L. 1145), requiring taxes collected upon the transfer of real property or of any interest in real property to be collected at the county seat.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1672, entitled:

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333), providing for returns indicating the number of votes cast by the electors of each party.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1704, entitled:

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333), further regulating the dates for furnishing information as to offices to be filled * * * and further regulating the date for certification of nominees by the Secretary of the Commonwealth.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

BILLS PASSED OVER

There being no objection

Senate bill No. 192, printer's No. 907 and

Senate bill No. 298, printer's No. 314,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 317, entitled:

An Act amending the act of April 12, 1951 (P. L. 90), entitled "Liquor Code," prohibiting the refilling of any liquor bottle or other liquor container.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 318, entitled:

An Act amending the act of April 12, 1951 (P. L. 90), entitled "Liquor Code," further regulating license fees and default in the payment of such fees.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 522, entitled:

An Act amending the act of April 12, 1951 (P. L. 90), entitled "Liquor Code," further regulating the issuance of new hotel licenses.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 527, entitled:

An Act amending the act of October 27, 1955 (P. L. 744), entitled as amended "Pennsylvania Human Relations Act," increasing the membership of the commission and changing quorum provisions.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be re-committed to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 589, entitled:

An Act amending the act of May 22, 1933 (P. L. 912), entitled "Bakery Law," changing certain definitions further regulating marking and labeling conferring additional powers and duties on the Department of Agriculture and further regulating the sale and importation of bakery products.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 631, entitled:

An Act amending the act of May 5, 1933 (P. L. 457), entitled "Building and Loan Code," authorizing the grant-

ing of mortgage loans to industrial development agencies and the acquisition of such loans and participations therein subject to limitations.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 6.

A joint Resolution proposing an amendment to article fourteen section one of the Constitution of the Commonwealth of Pennsylvania permitting county treasurers to succeed themselves.

HOUSE BILL No. 141.

An Act amending the act of September 29, 1951 (P. L. 1645), entitled "An act authorizing the orphans' courts of the several counties upon application therefor to place documents defined as historical documents in the temporary custody of certain associations maintaining facilities for public display of historical writings * * *" extending the provisions of the act to the recorder of deeds the clerk of courts and the prothonotary and imposing duties on the court of common pleas.

HOUSE BILL No. 263.

An Act amending the act of April 4, 1925 (P. L. 127), entitled "An act relating to Adoption," authorizing the filing of foreign adoption records in the orphans' court and information relating thereto with the Department of Public Welfare.

HOUSE BILL No. 423.

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), further regulating field meets and trials.

HOUSE BILL No. 591.

An Act amending the "Fiduciaries Investment Act of 1949," approved May 26, 1949 (P. L. 1828), providing for authorized investments in interest-bearing deposits.

HOUSE BILL No. 650.

An Act amending the act of April 17, 1893 (P. L. 21), entitled as amended "An act to facilitate the labors of the judges of the court of common pleas and orphans' court of the county in which the seat of government is or may be located in the disposition of the business of the Commonwealth by providing suitable clerical assistance," further providing for the salaries of stenographers and clerks.

HOUSE BILL No. 817.

An Act amending "The Fish Law of 1959," approved December 15, 1959 (P. L. 1779), deleting the requirement of reports by artificial propagation licenses.

HOUSE BILL No. 823.

An Act amending "The Fish Law of 1959," approved December 15, 1959 (P. L. 1779), changing the fishing license year.

HOUSE BILL No. 966.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), changing registration fees for motor

buses and motor omnibuses operated by mass transportation systems.

HOUSE BILL No. 974.

An Act amending the "Orphans' Court Act of 1951," approved August 10, 1951 (P. L. 1163), clarifying provisions relating to verdicts.

HOUSE BILL No. 995.

An Act amending the act of June 24, 1939 (P. L. 872), entitled "An act to consolidate amend and revise the penal laws of the Commonwealth," by clarifying and redefining the crime of prison breach.

HOUSE BILL No. 1327.

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), changing the expiration date of permits issued by the Commission.

HOUSE BILL No. 1390.

An Act amending "The First Class Township Code," approved June 24, 1931 (P. L. 1206), increasing the expense allowance for delegates to meetings of the State associations of township officers.

HOUSE BILL No. 1408.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), eliminating the requirement that cotton fabrics used in State institutions be flame-proofed.

HOUSE BILL No. 1542.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 1.565 acres more or less of land situate in Smithfield Township Huntingdon County.

HOUSE BILL No. 1562.

An Act authorizing the Commonwealth of Pennsylvania through the Department of Commerce and the Pennsylvania Industrial Development Authority to cooperate with and implement the program of the Federal Government as established by the Federal Area Redevelopment Act for economic assistance to redevelopment areas in the Commonwealth suffering from substantial and persistent unemployment and underemployment authorizing the Pennsylvania Industrial Development Authority to participate with any Federal agency in the financing of industrial development projects in redevelopment areas***.

With the information that the Senate has passed the same without amendments.

STATEMENT BY THE SPEAKER

The SPEAKER. The Chair desires to make a statement.

House bill 442, printer's No. 2183, on page 41 of today's calendar, passed the Senate on June 13th in identically the same form in which it passed the House on March 22, although the message from the Senate was that the bill had been passed with amendments.

Therefore, there are no amendments which the Chair can place before the House for a vote on concurrence.

The Chair is directing that the bill be returned to the Senate by the chief clerk with the request that the Senate re-message the bill to the House with the information that it passed this bill without amendments.

BIRTHDAY GREETINGS

The SPEAKER. We have one more birthday. Where is the gentleman from Dauphin, Mr. Bowman? Is he in

the hall of the House? He is. The maestro and chorus will proceed.

Mr. DENGLER. "Happy birthday, dear Jimmy." Here we go.

Mr. BOWMAN. Mr. Speaker, Jimmy thanks you fellow warblers for that very lovely birthday, but seriously it is very gratifying to receive birthday greetings from all my friends, all the people in this House. Thank you very much.

SENATE MESSAGE

The clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Amended House bill returned for concurrence Nos. 410 and 428.

SENATE MESSAGE

AMENDED SENATE BILL CONCURRED IN BY SENATE

The clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows:

SENATE BILL No. 95.

An Act amending the act of August 5, 1941 (P. L. 803), entitled as amended "An act providing for the creation maintenance and operation of a county employes' retirement system in counties of the fifth sixth seventh and eighth class . . ." requiring retirement credit to be given for certain per diem employment.

Mr. McCANN. Mr. Speaker, on page 7, I request permission to call the first bill up today, bills on final passage, House bill 1331, printer's No. 2308 for the first roll call for today.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1331, entitled:

An Act authorizing the Department of Highways with the approval of the Governor to construct a highway and to erect and maintain a bridge over the Schuylkill River in Montgomery County.

On the question,

Shall the bill pass finally?

The SPEAKER. The Chair recognizes the gentleman from Montgomery, Mr. Fetterolf.

Mr. FETTEROLF. Mr. Speaker, during the past week we had quite a bit of oratory on House bill 1331, concerning a bridge over the Schuylkill River at Norristown.

I would like to make this very clear, that all Republican members from Montgomery County are wholeheartedly in favor of this bridge and have been for several years. Since 1959, Republican bills of authorization and bearing a \$3-million tag have died in committee. Now this bill calls for an appropriation of \$3 million out of the Highway fund, but it in no way binds the Secretary of Highways to use the money. The department should have \$3 million as the result of the two cents a gallon gasoline tax increase, which we in Montgomery County also pay.

Therefore, it would be welcome and long awaited good news if Secretary Martin could tell our people, at last we are going to earmark \$3 million for the Norristown

bridge and we are going to build it. Promises plans and specifications are fine, but the people of Montgomery County want a definite commitment. Let us hope that following the passage of this bill Mr. Martin will make that commitment.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Adams,	Fry,	Lawson,	Renwick,
Anderson, J. H.,	Fulmer,	Lee, A. M.,	Riley,
Anderson, S. A.,	Galley,	Lee, K. B.,	Rovanske,
Arlene,	Gallagher,	Leonard,	Royer,
Ashton,	Gelfand,	Limper,	Rubin,
Auker,	George,	Lippincott,	Rudisill,
Bachman,	Gibb,	Long, Wm. Jas.,	Rutherford,
Backenstoe,	Gibbons,	Long, Wm. Jos.,	Sakulsky,
Blair,	Goldstein, J. H.,	Lutty,	Scarcelli,
Boies,	Goldstein, M. H.,	Magee,	Schaaf,
Bonner,	Goodrich,	Manbeck,	Schuster,
Bossert,	Gramlich,	Markley,	Seltzer,
Bower,	Gray,	Marsh,	Shelton,
Bowman,	Greenlee,	Maxwell,	Sherman,
Branca,	Gremminger,	May,	Shupnik,
Breth,	Gross,	McCandless,	Simmons,
Buchanan,	Guesman,	McCann,	Slack,
Bush,	Guthrie,	McDevitt,	Snare,
Capano,	Hamilton,	McDonald,	Stank,
Capitolo,	Hankins,	McInroy,	Steckel,
Cauley,	Hartley,	McKeever,	Stimmel,
Cianfrani,	Haudenshield,	McLaughlin,	Stiteler,
Cioffi,	Heavey,	McNally,	Stone,
Clarke,	Heffner,	Meholchick,	Sullivan, J. A.,
Comer,	Helm,	Merry,	Sullivan, T. F.,
Cooley,	Henzel,	Miller,	Taylor,
Crossin,	Hocker,	Mills,	Thompson,
Curwood,	Holl,	Monroe,	Tomasick,
Davis,	Holliday,	Morley,	Tompkins,
Dengler,	Holman,	Mullen,	Trusio,
Dennison,	Horst,	Munley,	Ujobai,
Donaldson,	Irvic,	Murphy,	Varner,
Dougherty,	Isaacs,	Murray,	Verona,
Doughten,	Jenkins,	Musto,	Wall,
Down,	Jim,	Needham,	Walsh,
Edwards,	Johnson, A. W.,	O'Dell,	Wargo,
Eilberg,	Johnson, R. P.,	O'Donnell, J. A.,	Weidner,
Elvey,	Jones,	Odorisio,	Welsh,
Eshback,	Kamyk,	Ogilvie,	Wescott,
Eshleman,	Kelser,	Parlante,	Whittaker,
Eslar,	Kelly,	Pashley,	Willaredt,
Ewing,	Kernaghan,	Perry,	Williams, A. D.,
Farabaugh,	Kessler,	Petrosky,	Williams, E. S.,
Fetterolf,	King,	Piper,	Wilt,
Filo,	Kistler,	Polaski,	Wood,
Fineman,	Knecht,	Polen,	Worley,
Flynn,	Kooker,	Prendergast,	Wynd,
Foerster,	Kornick,	Price,	Yetter,
Foor,	Korns,	Pursley,	Zember,
Fox,	Kramer,	Reibman,	Zimmerman,
Frascella,	Lamb,	Reidenbach,	Andrews,

Speaker

NAYS—1

Strausser,

NOT VOTING—5

Klein,
McCormack,

Mihm,

O'Donnell, J. P., Willard,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1568, entitled:

An Act amending the "Pennsylvania Election Code"

approved June 3, 1937 (P. L. 1333), increasing compensation of constables and their deputies.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Adams,	Frascella,	Lawson,	Riley,
Anderson, J. H.,	Fry,	Lee, A. M.,	Rovansek,
Anderson, S. A.,	Fulmer,	Lee, K. B.,	Royer,
Arlene,	Galley,	Leonard,	Rubin,
Ashton,	Gallagher,	Limper,	Rudisill,
Auker,	Gelfand,	Lippincott,	Rutherford,
Bachman,	George,	Long, Wm. Jas.,	Sakulsky,
Backenstoe,	Gibb,	Long, Wm. Jos.,	Scarcelli,
Blair,	Gibbons,	Lutty,	Schaaf,
Boles,	Goldstein, J. H.,	Magee,	Schuster,
Bonner,	Goodrich,	Manbeck,	Seltzer,
Bossert,	Gramlich,	Markley,	Shelton,
Bower,	Gray,	Marsh,	Sherman,
Bowman,	Gremminger,	Maxwell,	Shupnik,
Branca,	Guesman,	May,	Simmons,
Breth,	Guthrie,	McCandless,	Slack,
Buchanan,	Hamilton,	McCann,	Snare,
Bush,	Hankins,	McDevitt,	Stank,
Capano,	Hartley,	McDonald,	Steckel,
Capitolo,	Haudenshield,	McInroy,	Stimmel,
Cauley,	Heavey,	McKeever,	Stiteler,
Cianfrani,	Heffner,	McLaughlin,	Stone,
Cioffi,	Helm,	McNally,	Strausser,
Clarke,	Henzel,	Meholchick,	Sullivan, J. A.,
Cooley,	Hocker,	Merry,	Sullivan, T. F.,
Crossin,	Holl,	Miller,	Taylor,
Curwood,	Holliday,	Mills,	Thompson,
Davis,	Holman,	Monroe,	Tomasick,
Dengler,	Horst,	Morley,	Tompkins,
Dennison,	Irviss,	Mullen,	Trusio,
Donaldson,	Isaacs,	Munley,	Ujobai,
Dougherty,	Jenkins,	Murphy,	Varner,
Doughten,	Jim,	Musto,	Verona,
Down,	Johnson, A. W.,	Needham,	Wall,
Edwards,	Johnson, R. P.,	O'Dell,	Wargo,
Ellberg,	Jones,	O'Donnell, J. A.,	Weidner,
Elvey,	Kamyk,	Odorisio,	Welsh,
Eshback,	Kelser,	Ogilvie,	Wescott,
Eshleman,	Kelly,	Parlante,	Whittaker,
Esler,	Kernaghan,	Petrosky,	Willaredt,
Ewing,	Kessler,	Piper,	Williams, A. D.,
Farabaugh,	King,	Polaski,	Williams, E. S.,
Fetterolf,	Kistler,	Polen,	Wood,
Flo,	Knecht,	Prendergast,	Worley,
Fineman,	Kooker,	Price,	Wynd,
Flynn,	Kornick,	Pursley,	Yetter,
Foerster,	Korns,	Reibman,	Zember,
Foor,	Kramer,	Reidenbach,	Zimmerman,
Fox,	Lamb,	Renwick,	Andrews,

NAYS—7

Goldstein, M. H.,	Gross,	Perry,	Wilt,
Greenlee,	Pashley,	Walsh,	

NOT VOTING—7

Comer,	McCormack,	Murray,	Willard,
Klein,	Mihm,	O'Donnell, J. P.,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

The SPEAKER. The Chair requests the gentleman from Armstrong, Mr. Helm, to preside temporarily.

Mr. HELM IN THE CHAIR

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1607, entitled:

An Act amending the "Second Class County Code" approved July 28, 1953 (P. L. 723), empowering the exercise

of eminent domain for certain purposes in regard to graveyards and cemeteries.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—184

Adams,	Fulmer,	Lee, K. B.,	Royer,
Anderson, S. A.,	Galley,	Leonard,	Rubin,
Arlene,	Gallagher,	Limper,	Rudisill,
Ashton,	Gelfand,	Lippincott,	Rutherford,
Auker,	George,	Long, Wm. Jas.,	Sakulsky,
Bachman,	Gibb,	Long, Wm. Jos.,	Scarcelli,
Backenstoe,	Gibbons,	Lutty,	Schaaf,
Blair,	Goldstein, J. H.,	Manbeck,	Schuster,
Bonner,	Goldstein, M. H.,	Markley,	Seltzer,
Bossert,	Goodrich,	Marsh,	Shelton,
Bower,	Gramlich,	Maxwell,	Sherman,
Branca,	Gray,	May,	Shupnik,
Breth,	Greenlee,	McCann,	Simmons,
Buchanan,	Gremminger,	McDonald,	Slack,
Capano,	Guesman,	McInroy,	Snare,
Capitolo,	Guthrie,	McKeever,	Stank,
Cauley,	Hamilton,	McLaughlin,	Steckel,
Cianfrani,	Hankins,	McNally,	Stimmel,
Cioffi,	Hartley,	Meholchick,	Stiteler,
Clarke,	Haudenshield,	Merry,	Sullivan, J. A.,
Comer,	Heavey,	Miller,	Sullivan, T. F.,
Cooley,	Heffner,	Mills,	Taylor,
Crossin,	Helm,	Monroe,	Thompson,
Curwood,	Henzel,	Morley,	Tomasick,
Davis,	Holl,	Mullen,	Tompkins,
Dengler,	Irviss,	Munley,	Trusio,
Dennison,	Isaacs,	Murphy,	Ujobai,
Donaldson,	Jenkins,	Musto,	Varner,
Dougherty,	Jim,	Needham,	Verona,
Doughten,	Johnson, A. W.,	O'Donnell, J. A.,	Wall,
Down,	Johnson, R. P.,	Odorisio,	Walsh,
Edwards,	Jones,	Ogilvie,	Wargo,
Ellberg,	Kamyk,	Parlante,	Weidner,
Eshback,	Kelser,	Pashley,	Welsh,
Eshleman,	Kelly,	Perry,	Wescott,
Esler,	Kernaghan,	Petrosky,	Whittaker,
Ewing,	Kessler,	Piper,	Willaredt,
Farabaugh,	King,	Polaski,	Williams, A. D.,
Fetterolf,	Kistler,	Polen,	Williams, E. S.,
Flo,	Knecht,	Prendergast,	Wood,
Fineman,	Kooker,	Price,	Worley,
Flynn,	Kornick,	Reibman,	Wynd,
Foerster,	Korns,	Reidenbach,	Yetter,
Foor,	Kramer,	Renwick,	Zember,
Fox,	Lamb,	Riley,	Zimmerman,
Frascella,	Lawson,	Rovansek,	Andrews,
Fry,	Lee, A. M.,		Speaker

NAYS—16

Anderson, J. H.,	Foor,	Holman,	McCandless,
Bowman,	Gross,	Horst,	O'Dell,
Bush,	Hocker,	King,	Pursley,
Elvey,	Holliday,	Magee,	Wilt,

NOT VOTING—10

Boles,	McDevitt,	O'Donnell, J. P.,	Willard,
Klein,	Mihm,	Stone,	
McCormack,	Murray,	Strausser,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Mr. McCANN. Mr. Speaker, I request permission to call up House bill No. 155, printer's No. 155 on page 22 of today's calendar, bills on third reading.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 155, entitled:

An Act to validate certain proceedings for municipal

improvements municipal investments municipal claims and municipal liens in the several cities of the third class boroughs and townships of this Commonwealth.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Adams,	Frascella,	Kramer,	Riley,
Anderson, J. H.,	Fry,	Lamb,	Rovansek,
Anderson, S. A.,	Fulmer,	Lawson,	Royer,
Arlene,	Galley,	Lee, A. M.,	Rubin,
Ashton,	Gallagher,	Lee, K. B.,	Rudisill,
Auker,	Gelfand,	Leonard,	Rutherford,
Bachman,	George,	Limper,	Sakulsky,
Backenstoe,	Gibb,	Lippincott,	Scarcelli,
Blair,	Gibbons,	Long, Wm. Jas.,	Schuster,
Boies,	Goldstein, J. H.,	Long, Wm. Jos.,	Seltzer,
Bonner,	Goldstein, M. H.,	Lutty,	Shelton,
Bossert,	Goodrich,	Manbeck,	Sherman,
Bower,	Gramlich,	Markley,	Shupnik,
Bowman,	Gray,	Marsh,	Simmons,
Branca,	Greenlee,	Maxwell,	Slack,
Breth,	Gremminger,	May,	Snare,
Buchanan,	Gross,	McCann,	Stank,
Bush,	Guesman,	McDevitt,	Steckel,
Capano,	Guthrie,	McDonald,	Stimmel,
Capitolo,	Hamilton,	McInroy,	Stiteler,
Cauley,	Hankins,	McKeever,	Stone,
Cianfrani,	Hartley,	McLaughlin,	Strausser,
Cioffi,	Haudenshield,	McNally,	Sullivan, J. A.,
Clarke,	Heavey,	Meholchick,	Sullivan, T. F.,
Comer,	Heffner,	Merry,	Taylor,
Cooley,	Helm,	Miller,	Thompson,
Crossin,	Henzel,	Mills,	Tomascik,
Curwood,	Hocker,	Monroe,	Trusio,
Davis,	Holl,	Morley,	Ujobai,
Dengler,	Holliday,	Mullen,	Varnier,
Dennison,	Holman,	Munley,	Verona,
Donaldson,	Horst,	Murphy,	Walsh,
Dougherty,	Irvis,	Musto,	Wargo,
Doughten,	Isaacs,	Needham,	Weldner,
Down,	Jenkins,	O'Donnell, J. A.,	Whittaker,
Edwards,	Jim,	Odorisio,	Williams, A. D.,
Eilberg,	Johnson, A. W.,	Ogilvie,	Williams, E. S.,
Elvey,	Johnson, R. P.,	Parlante,	Wilt,
Eshleman,	Jones,	Pashley,	Wood,
Esler,	Kamyk,	Perry,	Worley,
Ewing,	Kelser,	Petrosky,	Wynd,
Farabaugh,	Kelly,	Piper,	Yetter,
Fetterolf,	Kernaghan,	Polski,	Zember,
Filo,	Kessler,	Polen,	Zimmerman,
Fineman,	Kistler,	Prendergast,	
Flynn,	Knecht,	Pursley,	
Foerster,	Kooker,	Reibman,	
Foor,	Kornick,	Reidenbach,	
Fox,	Korns,	Renwick,	

NAYS—5

King,	McCandless,	O'Dell,	Tompkins,
Magee,			

NOT VOTING—9

Eshback,	Mihm,	Price,	Andrews,
Klein,	Murray,	Willard,	Speaker
McCormack,	O'Donnell, J. P.,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 360, entitled:

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90), authorizing persons to bring into

Pennsylvania limited amounts of untaxed liquor under limited circumstances.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—115

Adams,	Fineman,	Lippincott,	Renwick,
Anderson, J. H.,	Flynn,	Lutty,	Riley,
Anderson, S. A.,	Frascella,	Manbeck,	Rovansek,
Arlene,	Gallagher,	Markley,	Rubin,
Ashton,	Gelfand,	Marsh,	Rudisill,
Auker,	Gibbons,	Maxwell,	Scarcelli,
Bachman,	Gray,	McCann,	Schaaf,
Backenstoe,	Greenlee,	McKeever,	Schuster,
Blair,	Gremminger,	McLaughlin,	Seltzer,
Boies,	Hamilton,	McNally,	Shelton,
Bonner,	Hankins,	Meholchick,	Sherman,
Bossert,	Hartley,	Merry,	Shupnik,
Branca,	Heffner,	Monroe,	Slack,
Capitolo,	Henzel,	Morley,	Stank,
Cauley,	Holl,	Mullen,	Steckel,
Cioffi,	Horst,	Munley,	Stimmel,
Clarke,	Irvis,	Murphy,	Stone,
Comer,	Isaacs,	Musto,	Sullivan, T. F.,
Crossin,	Jim,	Needham,	Taylor,
Donaldson,	Johnson, R. P.,	O'Dell,	Tomascik,
Dougherty,	Jones,	O'Donnell, J. A.,	Ujobai,
Doughten,	Kamyk,	Odorisio,	Walsh,
Down,	Kelly,	Parlante,	Wargo,
Eilberg,	Kramer,	Pashley,	Weldner,
Elvey,	Lamb,	Perry,	Welsh,
Eshback,	Lawson,	Petrosky,	Willardt,
Farabaugh,	Lee, A. M.,	Piper,	Williams, A. D.,
Fetterolf,	Leonard,	Polaski,	Zember,
Filo,	Limper,	Reidenbach,	

NAYS—86

Bower,	Gibb,	Kooker,	Rutherford,
Bowman,	Goldstein, J. H.,	Kornick,	Sakulsky,
Breth,	Goldstein, M. H.,	Korns,	Simmons,
Buchanan,	Goodrich,	Lee, K. B.,	Snare,
Bush,	Gramlich,	Long, Wm. Jas.,	Stiteler,
Capano,	Gross,	Long, Wm. Jos.,	Strausser,
Cianfrani,	Guesman,	Magee,	Sullivan, J. A.,
Cooley,	Guthrie,	May,	Thompson,
Curwood,	Haudenshield,	McCandless,	Tompkins,
Davis,	Heavey,	McDevitt,	Trusio,
Dengler,	Helm,	McDonald,	Varnier,
Dennison,	Hocker,	McInroy,	Verona,
Edwards,	Holliday,	Miller,	Wall,
Eshleman,	Holman,	Mills,	Wescott,
Esler,	Jenkins,	Ogilvie,	Whittaker,
Ewing,	Johnson, A. W.,	Polen,	Wilt,
Foerster,	Kelser,	Prendergast,	Wood,
Foor,	Kernaghan,	Price,	Worley,
Fox,	Kessler,	Pursley,	Wynd,
Fry,	King,	Reibman,	Yetter,
Fulmer,	Kistler,	Royer,	Zimmerman,
George,	Knecht,		

NOT VOTING—9

Galley,	Mihm,	O'Donnell, J. P.,	Williams, E. S.,
Klein,	Murray,	Willard,	Andrews,
McCormack,			Speaker

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 527, entitled:

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90), providing for the exchange of existing retail dispenser's licenses for liquor licenses despite the

limitations of the quota provisions of this act and establishing for procedure therefor.

On the question,

Will the House agree to the bill on third reading?

Mr. PIPER asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Sec. 1 (Sec. 461), page 3, line 8, by inserting after "a" where it appears the first time: hotel, restaurant or

Amend Sec. 1 (Sec. 461), page 3, line 9, by inserting after "a" hotel, restaurant or

Amend Sec. 1 (Sec. 461), page 3, line 16, by striking out "club"

Amend Sec. 1 (Sec. 461), page 3, line 17, by striking out "club"

Amend Sec. 1 (Sec. 461), page 3, line 18, by striking out "club"

Amend Sec. 1 (Sec. 461), page 3, line 20, by striking out "club"

Amend Sec. 1 (Sec. 461), page 4, line 1 by inserting after "a" hotel, restaurant or

Amend Sec. 1 (Sec. 461), page 4, line 1, by striking out "club" where it appears the second time.

Amend Sec. 1 (Sec. 461), page 4, line 4, by striking out "club"

Amend Sec. 1 (Sec. 461), page 4, line 6, by striking out "club"

Amend Sec. 1 (Sec. 461), page 4, line 9, by striking out "club"

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 997, entitled:

An Act amending the "Building and Loan Code" approved May 5, 1933 (P. L. 457), permitting mortgage loans on industrial property.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Blair, Mr. Auker.

Mr. AUKER. Mr. Speaker, as I understand this bill, it will permit building and loan associations to take mortgages on industrial properties. To my mind, and I have been connected with building and loan associations for some 30 or 35 years and was very familiar with the trouble that the building and loans got into during the depression years, this type of industrial loan is one of the things that got the buildings and loans in trouble during the depression years and made a lot of them go into liquidation.

I think this is very bad legislation. I do not think it

is within the province of building and loan associations to make loans, industrial loans on industrial properties. They essentially make loans for residential purposes to help people buy property.

There is a provision in the building and loan code, of course, that semi-business properties where there is habitation in the building can be financed by building and loan associations. But to make outright industrial loans, I do not think is within the province of our building and loan association business.

I, therefore, respectfully ask all the members of the House to vote against this bill. I think it is a step backward in building and loan business in Pennsylvania.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Luzerne, Mr. Tomascik.

Mr. TOMASCIK. Mr. Speaker, I desire to speak on this bill 997.

One of the most substantial problems encountered in the areas where the Pennsylvania Industrial Development Authority money is being fully utilized is the limited resources of local banking institutions in providing first mortgage money. A contributing factor to this situation is the fact that State chartered savings and building and loan associations are prohibited under the building and loan code from lending money for industrial mortgages. Since the three State-authorized savings and loan associations in the greater Hazleton area in Luzerne County have assets in excess of \$8 million, their ability to lend money for industrial first mortgages would have a substantial effect on the very tight money market.

There are two additional things that should be noted in this connection. First, the savings and loan associations chartered by the Federal Government do allow industrial first mortgage money, and the Hazleton Federal Savings and Loan Association of Hazleton, just to cite one case, has contributed a total of \$239,000, representing slightly more than 10 percent of the total amounts of the bank participation in the so-called CAN-DO, INC., an activity which is an industrial fund in the Hazleton area.

Finally, it should be noted that pursuant to the act of 1959, a State chartered savings and loan association can contribute by way of a donation to an industrial development agency, yet it cannot lend money for such purposes.

Therefore, it is strongly urged that the building and loan code of Pennsylvania be amended in such particulars in order to allow State chartered building and loan associations to participate in lending money for industrial mortgages.

This bill 997 is a very good bill. It is very much desired by the business people in Luzerne County, and I urge its enthusiastic support.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Blair, Mr. Auker.

Mr. AUKER. Mr. Speaker, I listened to the gentleman very carefully. I do not think it is any argument for this bill that the Federal building and loans associations are allowed to make such loans. They are under an entirely different charter and an entirely different law than we are here in Pennsylvania. I still repeat my argument that it was this kind of loan that got us into trouble and made many building and loan associations liquidate during the depression years. I know what I am talking about when I say that.

Now, with reference to the act that was passed in 1959 allowing building and loan associations to make donations to help an industrial development fund, certainly it is no analogy in the way of an argument to allow them to make loans. Sure, we passed a bill in 1959 to allow building and loan associations to make donations, because you are increasing the industrial business or helping the industrial climate in any community. Certainly there are going to be—probably and possibly—more people buying homes and more people looking for a way to finance their homes. In that sense, yes, it was a good bill that we passed in 1959, but I cannot see the analogy between allowing the building and loan associations to make donations to an industrial development fund which has very little, if anything, to do with their reserves, their surplus and earnings and their risk loans, as loans on industrial establishments would have. Industrial loans of any kind are more or less, considerably more, of a risk than loans on residential property. I certainly do not think we should pass any law here that would allow building and loans to take further risks in any way, shape or form than they are allowed to take under the present law. I think we have gone far enough. I believe the code has proven successful throughout the last 14, yes, 21, 22 years, the way it has worked out. And we adopted that code and we learned by the experience of the depression years. That was one of the reasons why industrial loans were cut out of the present building and loan code.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Doughten.

Mr. DOUGHTEN. Mr. Speaker,—

The SPEAKER pro tempore. For what purpose does the gentleman from Allegheny, Mr. Filo, rise?

Mr. FILO. Mr. Speaker, we would like to hear the debate on the floor of this House. The microphones are in terrible condition. We could not hear what the gentleman from Blair, Mr. Auken, was saying.

The SPEAKER pro tempore. The Chair would like to inform the gentleman that the chief clerk has had installed speakers around the hall of the House on an experimental basis. We are trying to find out if they will work.

The engineers are present in the hall of the House and they are making notes of the things that they find wrong with the present system.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Doughten.

Mr. DOUGHTEN. Mr. Speaker, I have the honor of representing a district in which the building and loan organizations were first born.

In my district is also located the first home which was ever financed through a building and loan mortgage. These building and loan associations have been the real backbone of home financing in Philadelphia throughout its history and it is known as the "City of Homes."

They are composed of small investors and the investment made by these corporations are small in amount so that if there is a failure of the investment then no one is severely hurt and these building and loans have had a beneficial and very salutary effect upon the building of homes in the city of Philadelphia and throughout other parts of the Commonwealth of Pennsylvania.

At a time like this, when we are struggling to get funds to build homes, it seems to me a poor bit of states-

manship to advance legislation which would take some of that money away from the home-building field. I think it would also jeopardize the investment of these many small investors who put their money in building and loans in the event that a commercial investment would go bad, and sometimes they do.

I say the investment in commercial property is too big an undertaking for building and loans; it is too big a risk.

I think this is bad legislation and I ask the members on both sides of the aisles to vote against it and protect this source of funds for the building of small homes.

Thank you.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—43

Anderson, S. A.,	Fry,	McDevitt,	Rovansek,
Bachman,	Guesman,	Meholchick,	Rubin,
Branca,	Irviss,	Mills,	Sakulsky,
Breth,	Lamb,	Mullen,	Shupnik,
Capitolo,	Lawson,	Needham,	Sullivan, J. A.,
Cianfrani,	Leonard,	O'Donnell, J. A.,	Taylor,
Clarke,	Long, Wm. Jas.,	Petrosky,	Tomasclck,
Crossin,	Long, Wm. Jos.,	Polen,	Verona,
Eilberg,	Lutty,	Prendergast,	Welsh,
Fineman,	Maxwell,	Reibman,	Williams, A. D.,
Flynn,	McCann,	Reidenbach,	

NAYS—156

Adams,	Gallagher,	Kooker,	Royer,
Anderson, J. H.,	Gelfand,	Kornick,	Rudisill,
Arlene,	George,	Korns,	Rutherford,
Ashton,	Gibb,	Kramer,	Scarcelli,
Auker,	Gibbons,	Lee, A. M.,	Schaaf,
Backenstoe,	Goldstein, J. H.,	Lee, K. B.,	Schuster,
Blair,	Goldstein, M. H.,	Limper,	Seltzer,
Bonner,	Goodrich,	Lippincott,	Shelton,
Bossert,	Gramlich,	Magee,	Sherman,
Bower,	Gray,	Manbeck,	Simmons,
Bowman,	Greenlee,	Markley,	Slack,
Buchanan,	Gremminger,	Marsh,	Snare,
Bush,	Gross,	May,	Stank,
Capano,	Guthrie,	McCandless,	Steckel,
Cauley,	Hamilton,	McDonald,	Stimmel,
Cioffi,	Hartley,	McInroy,	Stiteler,
Comer,	Haudenshield,	McKeever,	Stone,
Cooley,	Heffner,	McLaughlin,	Strausser,
Curwood,	Helm,	McNally,	Sullivan, T. F.,
Davis,	Henzel,	Merry,	Thompson,
Dengler,	Hocker,	Miller,	Tompkins,
Dennison,	Holl,	Monroe,	Ujobai,
Donaldson,	Holliday,	Morley,	Varner,
Doughten,	Holman,	Munley,	Wall,
Down,	Horst,	Murphy,	Walsh,
Edwards,	Isaacs,	Murray,	Wargo,
Elvey,	Jenkins,	Musto,	Weldner,
Eshback,	Jim,	O'Dell,	Wescott,
Eshleman,	Johnson, A. W.,	Odorisio,	Whittaker,
Esler,	Johnson, R. P.,	Ogilvie,	Willaredt,
Ewing,	Jones,	Parlante,	Williams, E. S.,
Farabaugh,	Kamyk,	Pashley,	Wilt,
Fetterolf,	Kelser,	Perry,	Wood,
Filo,	Kelly,	Piper,	Worley,
Foerster,	Kernaghan,	Polaski,	Wynd,
Foor,	Kessler,	Price,	Yetter,
Fox,	King,	Pursley,	Zember,
Fulmer,	Kistler,	Renwick,	Zimmerman,
Galley,	Knecht,	Riley,	Andrews,

Speaker

NOT VOTING—11

Boles,	Hankins,	McCormack,	Trusco,
Dougherty,	Heavey,	Mihm,	Willard,
Frascella,	Klein,	O'Donnell, J. P.,	

Less than the majority required by the Constitution hav-

ing voted in the affirmative, the question was determined in the negative and the bill falls.

The SPEAKER pro tempore. The Chair now returns the gavel to the Speaker of the House.

The SPEAKER (HIRAM G. ANDREWS) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Armstrong, Mr. Helm.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1009, entitled:

An Act to protect the public safety by regulating the mining of bituminous coal prescribing duties for certain municipal and township officers and imposing penalties.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Municipal Corporations.

On the question,

Will the House agree to the motion?

The SPEAKER. The Chair recognizes the gentleman from Washington, Mr. Murphy.

Mr. MURPHY. Mr. Speaker, I rise in opposition to the motion to recommit this bill. On March 21, this House passed by a substantial majority House bill 67 which would provide the same type of protection to the anthracite coal mining business as this bill will provide to the bituminous mining districts.

Subsequent to the passage of House bill 67 and the reporting of this bill from committee to the House calendar, we passed also the anthracite and bituminous mine subsidence insurance bill which is now before the other body for their action. That insurance fund, as you know, would provide a type of a State-regulated insurance fund to cover mine subsidence.

In order to coincide with the insurance bill which we passed about two weeks ago, the original bill on subsidence in anthracite districts, I am asking the members of this House to oppose this recommittal motion and act favorably upon House bill 1009 so that we in the bituminous regions will have the same type of protection as they will have in the anthracite region.

Thank you.

The SPEAKER. The Chair notes with a great deal of interest that there has been no indication on the part of the House as to whether this is to be a voice vote or a roll call vote. If there is to be a roll call vote—

Mr. McCANN. The gentleman from Washington is standing and requests a roll call vote. I will second the request if that is what is necessary.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Messrs. MURPHY and McCANN and were as follows:

YEAS—125

Anderson, S. A.,	Foerster,	Kistler,	Piper,
Arlene,	Frascella,	Knecht,	Polaski,
Auker,	Fry,	Kooker,	Polen,
Backenstoe,	Gailey,	Kornick,	Prendergast,
Blair,	Gallagher,	Kramer,	Price,

Bossert,	Gelfand,	Lawson,	Pursley,
Bower,	George,	Leonard,	Reibman,
Branca,	Gibbons,	Limper,	Riley,
Breth,	Goldstein, J. H.,	Lutty,	Royer,
Buchanan,	Goodrich,	Markley,	Rubin,
Bush,	Gramlich,	Maxwell,	Rudisill,
Capitolo,	Gray,	May,	Scarceill,
Cauley,	Greenlee,	McCann,	Schaaf,
Clanfrani,	Gremminger,	McDevitt,	Schuster,
Cioffi,	Gross,	McInroy,	Shelton,
Clarke,	Guthrie,	McKeever,	Sherman,
Comer,	Hankins,	McLaughlin,	Simmons,
Davis,	Hartley,	McNally,	Stank,
Dennison,	Heavey,	Miller,	Steckel,
Donaldson,	Helm,	Mills,	Stiteler,
Dougherty,	Hocker,	Monroe,	Tompkins,
Doughten,	Holliday,	Morley,	Varnar,
Down,	Horst,	Mullen,	Verona,
Edwards,	Irvis,	Musto,	Wall,
Elberg,	Jim,	O'Dell,	Weidner,
Elvey,	Johnson, A. W.,	O'Donnell, J. A.,	Wescott,
Eshback,	Jones,	Odorisio,	Willaredt,
Esler,	Kamyk,	Ogilvie,	Wilt,
Ewing,	Keiser,	Parlante,	Wood,
Farabaugh,	Kelly,	Pashley,	Zember,
Fetterolf,	Kessler,	Petrosky,	Zimmerman,
Fineman,			

NAYS—77

Adams,	Hamilton,	Marsh,	Stimmel,
Anderson, J. H.,	Haudenshield,	McCandless,	Stone,
Ashton,	Henzel,	McDonald,	Strausser,
Bachman,	Holl,	Meholchick,	Sullivan, J. A.,
Bonner,	Holman,	Merry,	Sullivan, T. F.,
Bowman,	Isaacs,	Munley,	Taylor,
Capano,	Jenkins,	Murphy,	Thompson,
Cooley,	Johnson, R. P.,	Murray,	Tomasick,
Crossin,	Kernaghan,	Needham,	Trusio,
Curwood,	King,	Perry,	Ujobai,
Dengler,	Korns,	Reidenbach,	Walsh,
Eshleman,	Lamb,	Renwick,	Wargo,
Filo,	Lee, A. M.,	Rovansek,	Welsh,
Flynn,	Lee, K. B.,	Rutherford,	Whittaker,
Foor,	Lippincott,	Sakulsky,	Williams, A. D.,
Fox,	Long, Wm. Jas.,	Seltzer,	Worley,
Fulmer,	Long, Wm. Jos.,	Shupnik,	Wynd,
Gibb,	Magee,	Slack,	Yetter,
Goldstein, M. H.,	Manbeck,	Snare,	Andrews,
Guesman,			Speaker

NOT VOTING—8

Boles,	Klein,	Mihm,	Willard,
Heffner,	McCormack,	O'Donnell, J. P.,	Williams, E. S.,

So the question was determined in the affirmative and the motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1044, entitled:

An Act to create a regional agency by intergovernmental compact for the planning conservation utilization development management and control of the water and related natural resources of the Delaware River Basin for the improvement of navigation reduction of flood damage regulation of water quality control of pollution development of water supply hydroelectric energy fish and wildlife habitat and public recreational facilities and other purposes and defining the functions powers and duties of such agency.

On the question,

Will the House agree to the bill on third reading?

Mr. McCANN. Mr. Speaker, if I may, Senate bill No. 350 is the Delaware River Compact which was reported from the Committee on State Government and read the first time replacing this bill. We held this bill until we would see if the Senate would pass a similar compact. We were in a position to vote on this for weeks.

Therefore, I ask that it be recommitted so we will be in a position to vote on Senate bill 350 on Thursday.

On the question recurring,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on State Government.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1140, entitled:

An Act amending "The Borough Code" approved May 4, 1927 (P. L. 519), further regulating the division of boroughs into wards and the abolition of wards.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—193

Adams,	Fox,	Lamb,	Reidenbach,
Anderson, J. H.,	Frascella,	Lawson,	Renwick,
Anderson, S. A.,	Fry,	Lee, A. M.,	Riley,
Arlene,	Fulmer,	Lee, K. B.,	Rovansek,
Ashton,	Galley,	Leonard,	Royer,
Auker,	Gallagher,	Limper,	Rubin,
Bachman,	Gelfand,	Lippincott,	Rutherford,
Backenstoe,	George,	Long, Wm. Jas.,	Sakulsky,
Blair,	Gibb,	Long, Wm. Jos.,	Scarcelli,
Boles,	Gibbons,	Lutty,	Schaaf,
Bonner,	Goldstein, J. H.,	Manbeck,	Schuster,
Bossert,	Goldstein, M. H.,	Markley,	Seltzer,
Bower,	Goodrich,	Maxwell,	Shelton,
Bowman,	Gramlich,	May,	Sherman,
Branca,	Gray,	McCann,	Shupnik,
Breth,	Greenlee,	McDevitt,	Simmons,
Buchanan,	Gremmlinger,	McDonald,	Slack,
Bush,	Guesman,	McInroy,	Stank,
Capano,	Guthrie,	McKeever,	Steckel,
Capitolo,	Hamilton,	McLaughlin,	Stimmel,
Cauley,	Hankins,	McNally,	Stone,
Cianfrani,	Hartley,	Meholchick,	Strausser,
Cioffi,	Haudenshield,	Merry,	Sullivan, J. A.,
Clarke,	Heavey,	Miller,	Sullivan, T. F.,
Comer,	Heffner,	Mills,	Taylor,
Cooley,	Helm,	Monroe,	Thompson,
Crossin,	Henzel,	Morley,	Tomasick,
Curwood,	Hocker,	Mullen,	Tompkins,
Davis,	Holl,	Munley,	Ujobai,
Dengler,	Holliday,	Murphy,	Varnier,
Dennison,	Holman,	Murray,	Verona,
Donaldson,	Irviss,	Musto,	Walsh,
Dougherty,	Isaacs,	Needham,	Wargo,
Doughten,	Jenkins,	O'Dell,	Walsh,
Down,	Jim,	O'Donnell, J. A.,	Weldner,
Edwards,	Johnson, A. W.,	Odorisio,	Welsh,
Eilberg,	Johnson, R. P.,	Ogilvie,	Wescott,
Elvey,	Jones,	Parlante,	Whittaker,
Eshback,	Kamyk,	Pashley,	Willaredt,
Eshleman,	Keiser,	Perry,	Williams, A. D.,
Esler,	Kelly,	Petrosky,	Williams, E. S.,
Ewing,	Kernaghan,	Piper,	Wilt,
Farabaugh,	Kessler,	Polaski,	Wood,
Fetterolf,	King,	Polen,	Wynd,
Filo,	Kistler,	Prendergast,	Yetter,
Fineman,	Knecht,	Price,	Zember,
Flynn,	Kooker,	Pursley,	Zimmerman,
Foerster,	Kramer,	Reibman,	Andrews,
Foor,			Speaker

NAYS—8

Gross,	Magee,	McCandless,	Trusio,
Korns,	Marsh,	Stiteler,	Worley,

NOT VOTING—9

Horst,	McCormack,	O'Donnell, J. P.,	Snare,
Klein,	Mihm,	Rudisill,	Willard,
Kornick,			

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1221, entitled:

An Act amending the "Anthracite Strip Mining Law" approved June 27, 1947 (P. L. 1095), further regulating anthracite strip mining operations changing provisions with respect to bonds backfilling restoration permits and registration including certain persons within the provisions of the act and imposing penalties.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—148

Adams,	Frascella,	Long, Wm. Jos.,	Rovansek,
Anderson, S. A.,	Fry,	Lutty,	Rubin,
Arlene,	Galley,	Magee,	Rudisill,
Auker,	Gallagher,	Manbeck,	Rutherford,
Bachman,	Gelfand,	Markley,	Sakulsky,
Backenstoe,	Gibb,	Maxwell,	Scarcelli,
Blair,	Gibbons,	McCandless,	Schaaf,
Boles,	Goldstein, M. H.,	McCann,	Schuster,
Bonner,	Gramlich,	McDevitt,	Shelton,
Branca,	Gray,	McDonald,	Sherman,
Breth,	Greenlee,	McKeever,	Shupnik,
Capano,	Gremmlinger,	McLaughlin,	Simmons,
Capitolo,	Guesman,	McNally,	Snare,
Cauley,	Guthrie,	Meholchick,	Stank,
Cianfrani,	Hamilton,	Merry,	Steckel,
Cioffi,	Hankins,	Mills,	Stimmel,
Clarke,	Hartley,	Monroe,	Stiteler,
Comer,	Haudenshield,	Morley,	Stone,
Cooley,	Heavey,	Mullen,	Sullivan, J. A.,
Crossin,	Heffner,	Munley,	Sullivan, T. F.,
Curwood,	Helm,	Murphy,	Taylor,
Davis,	Henzel,	Musto,	Thompson,
Dengler,	Hocker,	Needham,	Tomasick,
Dennison,	Holl,	O'Donnell, J. A.,	Trusio,
Donaldson,	Holliday,	Parlante,	Ujobai,
Dougherty,	Holman,	Pashley,	Verona,
Doughten,	Irviss,	Perry,	Walsh,
Down,	Isaacs,	Petrosky,	Wargo,
Edwards,	Jenkins,	Piper,	Welsh,
Eilberg,	Jim,	Polaski,	Wescott,
Elvey,	Jones,	Polen,	Williams, A. D.,
Eshback,	Kamyk,	Prendergast,	Wilt,
Eshleman,	Kelly,	Price,	Wood,
Esler,	Kernaghan,	Reibman,	Worley,
Ewing,	Kessler,	Reidenbach,	Yetter,
Farabaugh,	King,	Renwick,	Zember,
Fetterolf,	Kistler,	Riley,	Andrews,
Filo,	Knecht,		Speaker
Fineman,	Kooker,		
Flynn,	Lee, A. M.,		
Foerster,	Lee, K. B.,		
Foor,	Lippincott,		
	Marshall,		
	May,		
	McInroy,		
	Miller,		
	O'Dell,		
	Odorisio,		
	Ogilvie,		

NAYS—52

Anderson, J. H.,	George,	Kistler,	Pursley,
Ashton,	Goldstein, J. H.,	Knecht,	Seltzer,
Bossert,	Goodrich,	Kooker,	Slack,
Bower,	Gross,	Lee, A. M.,	Strausser,
Bowman,	Henzel,	Lee, K. B.,	Tompkins,
Buchanan,	Hocker,	Lippincott,	Varnier,
Bush,	Holl,	Marshall,	Wall,
Davis,	Holliday,	May,	Weldner,
Dengler,	Isaacs,	McInroy,	Whittaker,
Dennison,	Johnson, R. P.,	Miller,	Willaredt,
Down,	Keiser,	O'Dell,	Williams, E. S.,
Fetterolf,	Kernaghan,	Odorisio,	Wynd,
Fulmer,	Kessler,	Ogilvie,	Zimmerman,

NOT VOTING—10

Edwards,	Klein,	Murray,	Royer,
Horst,	McCormack,	O'Donnell, J. P.,	Willard,
Johnson, A. W.,	Mihm,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1438, entitled:

An Act amending the "Bituminous Coal Open Pit Mining Conservation Act" approved May 31, 1945 (P. L. 1198), further regulating bituminous strip mining operations changing provisions with respect to bonds filing dates reports registration backfilling and overburden including certain persons within the provisions of the act and providing for the use of funds in certain cases.

On the question,

Will the House agree to the bill on third reading?

Mr. FOX asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the clerk for information.

Amend Sec. 4 (Sec. 10), page 14, lines 4 and 5, by inserting brackets before and after "such an extent as"

Amend Sec. 4 (Sec. 10), page 14, line 5, by striking out "is satisfactory to the secretary and" and inserting a surface which will be a gently rolling topography so as to minimize erosion due to rainfall and make the surface more suitable for agricultural grazing or tree cutting or logging operations and

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the gentleman from Lawrence, Mr. Fox.

Mr. FOX. Mr. Speaker, I would like to say, first, in offering these amendments that I am not trying to weaken this bill nor, on the other hand, am I trying to penalize the strip mining operators. House bill No. 1438, the bill under discussion, makes more stringent the provisions relating to the backfilling of the pits of the coal mines. These pits, of course, when they are excavated, it is necessary to have great amounts of earth removed from them and piled into piles; they are called soil banks. As we drive along the highways of the Commonwealth and see the unsightly strip mining operations, it is usually these rough, eroded soil banks that we see.

Under the present law, the only requirement is that these soil banks should be leveled to such an extent as would permit the planting of grass or trees. I have seen in communities near my home, and I might say that we are surrounded by strip mines in my district, these soil banks that have not been leveled to any degree whatsoever. The trees have been planted on the almost perpendicular side of the piles of earth, and since there are a few trees clinging tenaciously to the sides of the soil bank that fulfills the present law.

I have looked up the Ohio law on this matter and I find that there is a provision very similar to what I am offering here in their law. As we look at the strip mines in Ohio we do not see so many unsightly soil banks as we do in our State.

It is for that reason that I am offering these amend-

ments, so that after the bill is passed and the pits are filled, as required, these unsightly soil banks will also be rounded off and leveled to such an extent that there will not be unsightly eroded piles such as there are now. It is for that reason, and for that reason only, that I offer these amendments to improve the bill. I ask consideration from both sides in accepting the amendments.

The SPEAKER. The Chair recognizes the gentleman from Cambria, Mr. Rovanseck.

Mr. ROVANSEK. Mr. Speaker, I rise to oppose these amendments to House bill 1438.

I mentioned last week that I had talked with quite a number of different organizations and they are highly in favor of the bill. I am going to ask the members of this House to vote against the amendments.

I believe it is a good piece of legislation. I believe the bill, which was debated last week and brought back in its original form—and I have consulted with quite a number of different organizations and they have a lot of respect for the wording, the language, in this bill—I believe it is a good bill and therefore I ask the members to vote against the amendments. I believe it would be no more than proper to vote on the bill as it stands.

I ask for a roll call on the amendments.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. ROVANSEK and FOX and were as follows:

YEAS—80

Adams,	Fetterolf,	Kooker,	Royer,
Anderson, J. H.,	Fox,	Korns,	Rutherford,
Ashton,	Fulmer,	Lee, A. M.,	Seltzer,
Auker,	George,	Lee, K. B.,	Simmons,
Backenstoe,	Gibbons,	Lippincott,	Slack,
Blair,	Goodrich,	Magee,	Snare,
Bossert,	Gross,	Manbeck,	Steckel,
Bower,	Guthrie,	Marsh,	Stiteler,
Bowman,	Helm,	May,	Strausser,
Breth,	Henzel,	McCandless,	Ujobal,
Cioffi,	Hocker,	McInroy,	Varnier,
Davis,	Holl,	Merry,	Wall,
Dengler,	Holliday,	Miller,	Weidner,
Dennison,	Holman,	Murray,	Willaredt,
Donaldson,	Isaacs,	O'Dell,	Williams, A. D.,
Edwards,	Johnson, R. P.,	Ogilvie,	Wood,
Elvey,	Kelser,	Piper,	Worley,
Eshback,	Kernaghan,	Polen,	Wynd,
Eshleman,	King,	Price,	Zember,
Ewing,	Knecht,	Pursley,	Zimmerman,

NAYS—120

Anderson, S. A.,	Gallagher,	Limper,	Reidenbach,
Arlene,	Gelfand,	Long, Wm. Jas.,	Renwick,
Bachman,	Gibb,	Long, Wm. Jos.,	Riley,
Boies,	Goldstein, J. H.,	Lutty,	Rovanseck,
Bonner,	Goldstein, M. H.,	Markley,	Rubin,
Branca,	Gramlich,	Maxwell,	Rudisill,
Buchanan,	Gray,	McCann,	Sakulsky,
Bush,	Greenlee,	McDevitt,	Scarcell,
Capano,	Gremminger,	McDonald,	Schaaf,
Capitolo,	Guesman,	McKeever,	Schuster,
Cauley,	Hamilton,	McLaughlin,	Shelton,
Clanfrani,	Hankins,	McNally,	Sherman,
Clarke,	Hartley,	Meholchick,	Shupnik,
Cooley,	Haudenschild,	Mills,	Stank,
Crossin,	Heavey,	Monroe,	Stimmel,
Curwood,	Heffner,	Morley,	Stone,
Dougherty,	Horst,	Mullen,	Sullivan, J. A.,
Doughten,	Irvis,	Munley,	Sullivan, T. F.,
Down,	Jenkins,	Murphy,	Taylor,
Ellberg,	Jim,	Musto,	Thompson,
Esler,	Johnson, A. W.,	Needham,	Tomascik,
Farabaugh,	Jones,	O'Donnell, J. A.,	Tompkins,
Filo,	Kamyk,	Odorisio,	Verona,
Fineman,	Kelly,	Parlante,	Walsh,
Flynn,	Kessler,	Pashley,	Wargo.

Foerster, Poor, Frascella, Fry, Galley,	Kistler, Kramer, Lamb, Lawson, Leonard,	Perry, Petrosky, Polaski, Prendergast, Reibman,	Welsh, Whittaker, Wilt, Yetter, Andrews, Speaker
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NOT VOTING—10

Comer, Klein, Kornick,	McCormack, Mihm, O'Donnell, J. P.,	Trusio, Wescott,	Willard, Williams, E. S.,
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So the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Shall the bill pass finally?

The SPEAKER. The Chair recognizes the gentleman from Clarion, Mr. Varner.

Mr. VARNER. Mr. Speaker, I find myself in a rather unusual role today representing the coal miners. The coal miners seem to be on the defense in Pennsylvania, if that last roll call was any indication.

One thing I want to bring out: in the Sunday Pittsburgh paper there was an article concerning the Harmon Creek Coal Company from Pittsburgh district and they are the only operators in the entire bituminous region of the Commonwealth who have come out in support of House bill 1438. In 1950, 445 additional coal strip mine operators were registered with the Department of Mines and Mineral Industries. They are all opposed to this legislation.

In 1950, Harmon Creek had a strip mine production of 380,000 tons all from one mine. Over 60 percent of the total number of operators in Pennsylvania had a production of less than 25,000 per year.

At their Florence Mine in Washington County, Harmon Creek stripped a coal seam 54 inches thick. The average thickness of the coal seam stripped in Clearfield County, or in Clarion County, for example, would be less than 27 inches, with some seams ranging as low as 13 inches, less than one-quarter of that of Harmon Creek. Consequently, production per acre at Harmon Creek will range as high as four times that of some of the Clearfield or Clarion County mines, and twice as much as most. Naturally the cost per ton will be lower.

Much publicity has been given to a restoration job in Pike Township, Clearfield County, under contract from the Department of Mines and Mineral Industries. The bid totalled \$4,747, slightly less than \$250 per acre for the 19 acres involved. From the mine, 23,539 tons of coal were removed. The costs of restoration then amounts to 20 cents per ton, already twice as much as what Mr. Hillman says his restoration costs are.

Mr. Speaker, I might interject here to say that it would appear to me that this is a fight between the big operators and the little operators and I think that through this legislation Mr. Hillman and his big company will be favored over the little operators as are represented in my county.

A recent release in the "Pittsburgh Press" says, "He," the contractor, "wasn't enthusiastic about the job.—" Now this is a job that was given much publicity by the Department of Mines. In talking with this same man he stated to us that he was receiving less than half what he normally bid a job for. To do restoration such as this he normally bid to receive between \$17 and \$20 per hour for his equipment; for this job his total realization

was under \$10 an hour. Consequently, the cost per ton for restoration should actually be around 40 cents per ton. In many recent releases, Mr. Speaker, the figure of \$250 per acre for restoration has been stressed. We have yet to see or hear of the \$1,225 per acre paid for restoring an abandoned operation on Game Lands 95 in Butler County. Here \$51,200 was expended to restore 41.8 acres of land which originally costs the Game Commission less than \$5.00 per acre. In other words, they were paying \$1,200 per acre to restore land originally purchased for under \$5.00 per acre. Thus it can easily be seen that restoration costs will vary greatly for each operation. It is entirely unrealistic to base costs on only one job.

Dr. Wilber, Secretary of Health, is quoted as declaring that "the new law would go a long way to help stop stream pollution by acid mine water." This is absolutely not based on fact. No valid study has ever been made upon which such conclusion can be arrived at. Other reliable authorities that have spent many years studying this drainage problem say that such restoration will not change the drainage picture to any appreciable extent.

The Sanitary Water Board, of which Dr. Wilbar is Chairman, administers the Clean Streams Law of the Commonwealth. Before any mine can be opened or reopened a permit must be secured from the board. One requirement of most permits is that there shall be no acid discharge. If an acid discharge does occur during operation, such permit may be revoked. The permit remains in effect years after the operation ceases mining. If an acid discharge occurs after the mining stops, the operator must correct the violation or no further permits will be granted until the alleged violation is corrected. A company, if it is to stay in business, must abide by permit conditions. This is not a clean streams law as the press has so flamboyantly played it up to be.

The majority of the coal operators have been opposed to this proposed bill because of the greatly increased costs which they as operators know such restoration will cost. They are basing their position on long experience, not on one operation or on hearsay evidence. They know the effect such increased costs will have on their particular operation and their consequent inability to compete with the coal industry in neighboring states.

Mr. Speaker, I would like to depart for a minute from my prepared text to say that up in my county we are struggling to get new industry just like they are in the other 66 counties in Pennsylvania. Here we have existing, going industry, and for us to sit down here in Harrisburg and legislate this industry out of business to me just does not make sense.

We in my county have gained some fine new industries in the last 8, or 10, or 12 years. Some of them were helped here by legislation. In 1955 we passed a bill here that would give some relief to mobile homes and we got a new trailer plant in my county to make mobile homes. Several other counties were beneficiaries of this legislation. Now here we are on June 20, 1961, in this House, passing a bill which will affect the livelihood of thousands of my people, and for that reason I ask that you oppose this bill.

The SPEAKER. The Chair recognizes the gentleman from Clearfield, Mr. Marsh.

Mr. MARSH. Mr. Speaker, ladies and gentlemen of the House, this is a highly technical bill. I doubt that very

few people in this House understand the real implications of the passage of this bill.

You hear all about spoil piles, so many cuts, so many degrees, up to the high wall, but how many of you understand just exactly what it means? I doubt very many do.

Strip mines are mostly, especially in Clearfield County, the stripping operations occur over where the deep mines have been. These acid conditions which we hear so much about, acid discharge into the streams of Pennsylvania, and the discharge from the strip mining operations actually come from the deep mine operations. That is where acid starts. As many of you might know, the formation of acid is a chemical formation. It forms in the deep mines where you have chemical action of air, plus water, plus the other materials which form this acid. And you do not have that in the strip mining. Of course, you do have some sulphur.

A lot of us are swayed by emotion. We go through the countryside and we see these strip operations and it looks as though bombs have hit the place, but actually a lot of this damage was done many, many years ago. Previous to 1941 road building contractors, with no roads to build, got into the coal stripping business and took out a tremendous amount of coal and simply replaced much of the land to its former use.

Our present day operators are doing a very good job and under the existing law are living up to the qualifications that have been laid down. They have been putting back the soil as required, although the new requirements of putting the dirt back up to the high wall of 40 degrees is an impossibility. It just cannot be done. It cannot be done physically nor can it be done financially, that is, to make the present coal stripping business operate.

Now then, I am concerned about this perhaps more than any other members from any other county because Clearfield County produces twice as much strip coal as any other county in the State. It is our principal industry. It is our life blood. It is a case of bread and butter with us. In Clearfield County we employ 1778 people in our coal stripping operations. It is one of the few mining operations we have because the deep mines are not able to operate any longer profitably. Our production in Clearfield County is 20 million tons a year, with an annual payroll of \$6.5 million. Some of our coal operators have a payroll of \$6,000 a week; one other operator I know, a friend, has a payroll of \$4,000 a week.

So there is a tremendous amount of fresh money coming into Clearfield County. It amounts to something like \$20 billion a year which comes from other States on the Eastern Seaboard, and other parts of the country where our coal is sold. Remove this industry from Clearfield County and we will certainly be in desperate shape.

It seems to me—we cannot understand why we are spending so much money to bring in industry, running industrial development programs of all kinds when we already have a good industry in Clearfield County and through the action of this bill we will not have it. That certainly is a truth without a bit of exaggeration, because this backfill that we talk about, which Mr. Hillman claims he can do for 10 cents a ton, we cannot operate in Clearfield County for less than 46 because of the terrain, the mountainous area, that we have there; it is simply an

impossibility to do it. Our machinery instead of cutting coal will be used for the replacing of soil. They are doing a good job now covering the coal beds to the depth of three feet and it has been working out satisfactorily.

Mr. Hillman talks about being able to do the job for 10 cents a ton. I know one road contractor who built nine miles of highway for \$45,000 a mile. So it does not prove that because one person could do it for \$45,000 a mile that everyone could do so.

All of us would like to see clean streams in Pennsylvania, but we must be realistic, too. We know that is impossible. As I said before, streams are polluted by the hundreds of deep mines which were abandoned years ago and the efforts to seal them have been ineffective. The best sealing of these mines is stripping the outcrop and sealing the open pits so that the water seeps out gradually. The strip mining by nature is confined to contours that hold the water in the spring and during dry weather. The complete sealing of the high wall is unnecessary and is only expensive. The soil bank is filled and gradually after trees are planted on it, you can hardly tell it from ordinary land as to the wonderful job that is being done.

Now, then, I know much of this opposition is coming from Allegheny County, from Pittsburgh, and I know that many of us certainly do not like the belching yellow smoke and the green and black smoke that belches from the steel mills of Pittsburgh. But the people there have learned to live with it and we have learned to live with our own strip mining operations in Clearfield County.

One thing, from the economic viewpoint which I want to stress to everyone of you is, that if this bill passes, the coal stripping business in Clearfield County and our bread and butter will just go out the window. After all, there is only one important law, the most important law in life, and that is the law of self-preservation, and on this point, and from an economic standpoint, I ask all of you to oppose this bill.

The SPEAKER. Does the gentleman from Cambria desire to be recognized?

Mr. ROVANSEK. Mr. Speaker, I yield to the gentleman from Allegheny, Mr. Goldstein.

Mr. M. H. GOLDSTEIN. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Goldstein.

Mr. M. H. GOLDSTEIN. Mr. Speaker, the gentleman from Clarion, Mr. Varner, has made reference to the fact that this is a battle between the big operators and the small operators. Such is not the case. This is fundamentally a battle between those who believe in the preservation of our natural resources and the natural beauty of the Commonwealth, and those who believe in leaving a business enterprise like a scarred, bombed battlefield.

Reference has also been made to the fact that an outstanding citizen of Allegheny County, Mr. James F. Hillman, believes in the principles of House bill No. 1438. We believe that Mr. Hillman is to be congratulated upon his stand as a businessman who is willing to do more than the law requires.

Now if we go back through the history of our Country, we would find that from time to time, when we were a logging and forest nation, that there was a source of battle between people who wanted to destroy our forests and those who wanted to preserve same. Let us not

make the same mistake that we did scores of years ago when we destroyed our forests and were compelled to spend untold millions of dollars to restore same.

I believe all the members of the House would be interested in hearing a short letter from Mr. James F. Hillman, who is the president of the Harmon Creek Coal Corporation, which was addressed to me and which he desires, I believe, should be heard by the members of this House.

The letter is as follows:

"Secretary of Mines Louis Evans stated, I believe, for the record that he had taken bids for the complete restoration of a stripped area in Clearfield County, and that the cost of restoration of this land, including backfilling, had amounted to \$245 per acre. Perhaps you will be interested to know that this company has been recontouring their coal acreage, including backfilling, at our Florence Mine for many years. This has been accomplished while operating under contract with the UMW, including the payment of 40 cents per ton to the Welfare Fund. Under the present wage scale, which has been effective since January 1, 1959, the cost of this full land restoration has been 10 cents per ton of coal mined and shipped. In our contouring and planting we go beyond the requirements of the present regulations of House bill No. 1438 and Senate bill No. 470. We believe that these restored areas of our Florence Mine has economic value, and they have also provided hunting and fishing recreation.

"We extend a warm welcome to other coal strippers who may be apprehensive of the costs of full land restoration. I am informed that figures have been submitted approximating \$1,700 per acre for this full restoration, and I feel that whoever compiled this figure unfortunately made gross errors in calculations.

"Sincerely,
/s/ James F. Hillman, President,
Harmon Coal Creek Corporation."

We say that if Mr. Hillman's company can do it for 10 cents a ton, that the other companies could do the same. We also say that under the Ohio law today the regulations are stricter, and the Ohio coal strippers are not going out of business.

If you are in favor of conservation of our natural resources and are against the destruction of our Commonwealth from a scenic standpoint, you must vote for House bill 1438.

The SPEAKER. The Chair recognizes the gentleman from Cambria, Mr. Rovanseck.

Mr. ROVANSEK. Mr. Speaker, I rise in opposition to this amendment. I believe it is bad, I am opposed to the amendments on the merit of what they—

The SPEAKER. We have disposed of the amendments. The question is: shall the bill pass finally in its present form.

Mr. ROVANSEK. Mr. Speaker, I understood that Mr. Varner from Clarion County submitted amendments to this bill.

The SPEAKER. Mr. Varner does not have any amendments.

Does the gentleman from Clearfield, Mr. Breth, desire to be recognized?

Mr. BRETH. I do, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Clearfield, Mr. Breth.

Mr. BRETH. Mr. Speaker, I want to say a few things concerning this bill.

First of all, I am firmly convinced that a great many

members of this House are not aware of what the bill will do.

Secondly, I am also convinced that a great many members of this House are in no way familiar with the problems of strip mining restoration.

I have for many years, in this House, insisted that the strip mine laws were inadequate and that they were under-enforced. Today I want to compliment the Lawrence administration and the previous administration for putting that situation back into perspective so far as the law is concerned. I am very unhappy to say to this House that from the time the present strip mining bill was passed in 1945, in Clearfield County we lost many, many miles of pure streams; probably 50 to 60 miles of pure streams. I am very happy to say that in the last six years we have not lost a hundred feet, due to the proper enforcement of the present law.

Some years ago we started a program of revision of the strip mine laws to bring them up to date, to modernize them, and today proves that the work of the past six years was not lost. In other words, we wanted to tighten up those rules and regulations so that the record of the past six years could be maintained.

I was very happy last week to see an amendment put into this bill which might make it workable and not a financial disaster to the present strip mine industry, particularly in my own county. However, I was very much disappointed to see this House reverse itself and restore this bill to its original form.

It is almost impossible to tell you the effects of this bill, but I will try to illustrate it. I would say that a great many, perhaps in over half the instances where land is stripped, a 45-degree restoration is possible, and probably financially possible. But in many of the sections of Clearfield County, we have many, many hills on a 45-degree angle where it is economically impossible, and it is almost engineeringly impossible to take the overburden that has gone down the hill and restore it on 45 degrees. The machinery is not made, the bulldozer is not made, to push it uphill. If you are an operator—and most of these smaller operators do not have this big equipment to have a drag-line up on top—it is impossible to reach down and do it. In fact, I do not think that nature would let you do it.

I am placed in a very, very sad position today. I know strip mining; I know what will work and what will not work. I have lived with it and I understand its problems and I know that this particular bill in this form is unworkable and I will guarantee you it will not pass in this form.

The point is this: As a matter of pure conservation, the amendment which was proposed and put into the bill last week was to restore it to 50 percent of the high wall. What happens is the top falls in; you get a rolling restoration. This way, if you backfill it, and you can backfill it at angles of 30 degrees, 20 degrees, or a similar wide angle, but you cannot restore a 45-degree angle. Then you get a terrific amount of erosion, and you do not comply with the simple rules of nature. A rolling restoration will conserve water after there has been a terrific, good, fast, run-off of rainfall.

I understand that speeches made on the floor of this House at the time bills are up are usually ineffective, they change few minds, but nevertheless I am going to be a

prophet. I, very much against my will, am going to vote against this bill because it is engineeringly impossible and unworkable and economically punitive to a great industry that serves a great segment of our population.

I am also going to say to you that this bill will not pass in its present form or become law.

The SPEAKER. The Chair recognizes the gentleman from Cambria, Mr. Rovanseck.

Mr. ROVANSEK. Mr. Speaker, I am asking the members of this House to vote for this piece of legislation.

In all the years of experience that I have had in mining and I have seen holes, water holes, that were a danger to the children and to other people, and I also saw dirt dumped on peoples' back porches by strip mining; I believe that this is a sensible piece of legislation. I have had consultations with people who told me through experience that it would not be too much of an added cost to the people who are in this business, that it certainly will not harm them.

The gentleman from Clearfield states that it is impossible to fill the angle that is required under this legislation. I say that it is possible today with present day equipment that we have in mines. I say it can be done. I think it is good legislation and I am asking the members of this House to vote for this bill.

The SPEAKER. The Chair recognizes the gentleman from Venango, Mr. Gramlich.

Mr. GRAMLICH. Mr. Speaker, I could not resist getting in on this ear-drawing conversation and speeches by my colleague in Clarion County and, I believe, two of them from Clearfield County. I think maybe I can address my remarks to all three of them.

I take it—

Mr. VARNER. Mr. Speaker, I object to his remarks.

POINT OF ORDER

The SPEAKER. For what purpose does the gentleman from Clarion, Mr. Varner, rise?

Mr. VARNER. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state it.

Mr. VARNER. Mr. Speaker, the gentleman is singling me out as one of the proponents of, or one of the opponents, of this legislation, and I do not think that is necessary.

The SPEAKER. Well, it may not be necessary, but I think the gentleman is within his rights to express his personal opinion.

Mr. VARNER. Mr. Speaker, I think it is quite obvious. He should address himself to the Chair.

The SPEAKER. The gentleman will kindly confine his remarks to the merits of the bill rather than the merits of either the proponents or advocates of the bill.

Mr. GRAMLICH. Thank you, Mr. Speaker. I believe I did address my remarks to the Chair in the beginning.

I hear a lot about the poor coal stripper. How much have I heard about the poor water of which we have a lot in my part of the country and particularly in other parts of the northwest country that we have discussed here? I heard one gentleman say, I do not believe there is 100 feet of bad water in his county. Well, I will tell you, Mr. Speaker, there are many, many miles of bad water in my county and in the adjoining counties, particularly on the east and in Clarion County. These streams were pure. Only this morning as we came by I called

attention to one of those operations along the highway, and not too long ago I tasted the water coming from this operation and I will guarantee that you could not drink it. You must never forget the number one resource is water; I mean good water. I know something about strip mine operations, not to operate the coal, but the results of strip mine operations. A couple weeks ago I traveled back in the strip mining area and it was shameful when I saw a man's well destroyed, I saw his pumphouse with a foot of water in it pumped during the night from a strip mine.

I am not against coal operators, but I cannot believe they can still put the dirt back and restore our scenic beauty.

How many times have I said to the gentlemen over in the Department of Forests and Waters, it is not the streams that we need, we get plenty of fish to stock, but we have no more good water. I ask the gentleman from Clarion County—he knows where Hemlock Creek is—can we put any more creek in there? No. I can tell him the name of the strip mine that polluted that stream. I can tell him why Porcupine Run is polluted; I can tell you that 2,400 fine trout died this year two days after they were released, from pollution from the strip mines.

I say this strip mine bill is a good one and the sooner we get this kind of legislation the better and more fresh water we will have. I say we all should vote for it. It is high time that we get some good fishing water. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Clarion, Mr. Varner.

Mr. VARNER. Now, the fishermen have had their say. The fact remains, I would like to have someone tell me what my people in Clarion County are going to do for a living if House bill 1438 becomes law? Are we going to ship them all down to work for the Pittsburgh Press, are we going to ship them all over to Brownsville to work in the refineries, or to Franklin to work in the refineries? That is my contention. This has been the law for a number of years. We have been down here listening for years and I have voted for every industrial development program that was ever brought before this House. And I am for industrial development programs. But I cannot, for the life of me, see how we are going to give up a good growing industry for a few fish in a few streams in Pennsylvania.

Now most of our lost streams were lost as a result of deep mines, not strip mine operations. I could go into a lot of detail on this, Mr. Speaker, I know that there are a lot of bills here on the calendar and a lot of other people probably want to go out and eat dinner at the Colonial Country Club or someplace, but I would like to just take this much time to plead to you to postpone passage on this bill. And if we can not do that, I would like to have you vote against that, because, believe you me, there are now fifteen hundred or so people that are on public assistance in my county and, if this bill becomes law, this administration and the people in here who vote for it can feel that they are driving more people onto public assistance.

The SPEAKER. The Chair recognizes the gentleman from Clearfield, Mr. Marsh, who is speaking for the second time.

Mr. MARSH. Mr. Speaker, I would like to ask the same

question that the gentleman, Representative Varner, asked? Will the people of Allegheny County and Philadelphia accept many of our unemployed if this bill goes through?

The SPEAKER. The Chair recognizes the gentleman from Washington, Mr. Murphy.

Mr. MURPHY. Mr. Speaker, in answer to the previous gentleman's inquiry, it would appear to me that if they have 100 men employed digging this coal up, it will take that same 100 men covering up the hole. There just will not be quite as much profit in it.

The SPEAKER. The Chair recognizes the gentleman from Blair, Mr. Holliday.

Mr. HOLLIDAY. Mr. Speaker, I have heard a lot of talk and arguments on contaminated streams and this bill 1438. Now, 1438, as far as I can see, increases the bond and changes the angle of backfilling. Now, as far as contaminated streams are concerned, I think my colleague from Clarion County, and I think the gentleman from Clearfield County, Mr. Breth, will have to agree with me that great many streams in Clearfield County were contaminated long before they were ever stripped, through deep mining there. I doubt very much if any new streams have been contaminated by stripping, because under the present law, if it is lived up to, if the various departments see that it is lived up to, I do not believe you would have very much contamination.

Now, in the first place, before you can strip you have to file an application laying it out on a plan, 400 feet to the inch I believe, and you get a permit from the bureau of mines. Also before you can strip you have to get a permit from the sanitary water board to show that your stripping is not going to contaminate any clear streams. Now, if those two things are lived up to by the various departments, before you can get a permit, where is the stream going to be contaminated? If the stream is checked by the inspectors—and that is where I would like to call your attention. If you recall a few weeks ago I spoke on the floor of the House here about a stripping operation that was contaminating two reservoirs and killed the fish. They were put in one day and they were all dead the next day. Now, that has been going on for a number of years. This operation was on the water shed of the Allegheny Mountains. Now, in the first place, that person should not have been given the permit. In fact, he did not have a permit to operate a strip mine up there. He claimed that it was a clay mine. Well, you cannot take the clay out until you have taken the coal because the clay is lower than the coal and consequently the moment you strip the coal you are going to get some contamination. Now, after we called their attention to it, they made an investigation and stopped the operator from stripping. But we had to tell them about the operation before they took any action on it.

Now this last week I wrote to the bureau of mines and called their attention to an operator who was contaminating another tributary of that same stream. He said, in reply, "Mr. (blank)"—I will not mention the inspector's name—"does not know of any illegal mining operation on Loup Run, but this company has a permit . . . for drainage to a tributary of Bell Gap Run, which may be the tributary referred to in your telephone call." Well that stream is contaminated now, and yet they say there is no contamination.

Now, I claim there is nothing wrong with the present law which, if it is strictly enforced by the various heads of the departments, the department having to do so, you would not have any trouble with your stripping operations. Right at the present time, I understand they have about \$9 million in bonds which have been put up by the stripping operation. I also understand that less than 4 percent of the bonds that have been put up have been let go by the stripping operators. So there is very little cause for saying that the strip operators are not living up to their agreement. If the State checks them carefully, I think you will have no trouble with the stripping operations, and, when you get down to contamination, just remember the streams were contaminated long before stripping operations ever went into effect. And as the gentleman said, a great deal of that has been deep mines and some of those deep mines are still draining contaminated water into the streams. The State has not sealed them off and a great many strip operations that you see, driving along the highways today, are those operations which were done or stripped during the war when there was no law at all. Anybody could go in and strip anything they wanted to. There was no law or regulation, and the State has not done anything to backfill those places. In fact, the operators did not have to backfill it. Now, if the State would take some of this bonding money which they have for backfilling and fill up those places that were allowed to be stripped during the war, when there was no law, I think a lot of your trouble would be over. I am going to vote "no" on this bill.

The SPEAKER. The Chair recognizes the gentleman from Indiana, Mr. Buchanan.

Mr. BUCHANAN. Mr. Speaker, the basic issue, I believe, in this bill is, can a strip mining industry of Pennsylvania compete with the strip mining industry in other States? If we make our laws too strict, it means that there will not be any stripping in Pennsylvania. The companies in Ohio and West Virginia will be able to get the contracts. Under this bill, Pennsylvania will require a \$500 bond per affected acre. Ohio now requires \$220 per affected acre. West Virginia requires \$500 per acre. Now, that is not affected acre; that is per acre, the actual cut not including the soil. The requirements in this bill are more strict than those in West Virginia and Ohio.

Now the gentleman from Allegheny County said that a certain company in the southwestern section of Pennsylvania can backfill at 10 cents a ton. That is probably true in southwestern Pennsylvania, but that is not true in the regions from Clearfield to Butler Counties.

Have you men noticed the opponents of this legislation? Have you checked their counties? They come from the districts of Clearfield, Blair on the west, through Butler County. Why? In southwestern Pennsylvania, if you uncover or if you remove 40 feet of dirt from the coal, you will probably find 5 feet of coal under that dirt. In our counties you will probably find 24, 30, 36 inches of coal. Now that means that with probably half as much coal, you are going to have to pay for this backfilling. Now there is one other factor, which the gentleman from Allegheny County did not mention. In southwestern Pennsylvania you may be able to have 6, 8 or 10 cuts. In our section, you will have possibly 2, 3, or 4 cuts. The more cuts you have, the less it will cost per ton. We have to compete with West Virginia and Ohio companies. When

a utility in Cleveland wants to buy coal, we submit bids, and the lowest bid will get the contract. Naturally, if the bid is for 500,000 tons, and a West Virginia company is able to underbid us by 5 cents a ton, it means that utility in Cleveland will save \$25,000 and we lose the contract. I am standing here today pleading with you men to save jobs in Pennsylvania. We need more employment, not less. I ask you to vote against this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—150

Adams,	Gelfand,	Lutty,	Rovansek,
Anderson, S. A.,	George,	Magee,	Rubin,
Arlene,	Gibb,	Manbeck,	Rudisill,
Ashton,	Gibbons,	Markley,	Rutherford,
Auker,	Goldstein, M. H.,	Maxwell,	Sakulsky,
Bachman,	Goodrich,	May,	Scarcelli,
Backenstoe,	Gramlich,	McCandless,	Schaaf,
Boles,	Gray,	McCann,	Schuster,
Bonner,	Greenlee,	McDevitt,	Shelton,
Bossert,	Gremminger,	McDonald,	Sherman,
Branca,	Guesman,	McKeever,	Shupnik,
Bush,	Hamilton,	McLaughlin,	Simmons,
Capano,	Hankins,	McNally,	Slack,
Capitolo,	Hartley,	Meholchick,	Snare,
Cauley,	Haudenshield,	Merry,	Stank,
Cianfrani,	Heavey,	Mills,	Steckel,
Clarke,	Heffner,	Monroe,	Stimmel,
Comer,	Holman,	Morley,	Stiteler,
Crossin,	Horst,	Mullen,	Strausser,
Curwood,	Irviss,	Munley,	Sullivan, J. A.,
Donaldson,	Isaacs,	Murphy,	Sullivan, T. F.,
Dougherty,	Jenkins,	Murray,	Taylor,
Doughten,	Jim,	Musto,	Thompson,
Ellberg,	Johnson, R. P.,	Needham,	Tomasick,
Elvey,	Jones,	O'Dell,	Ujobal,
Eshleman,	Kamyk,	O'Donnell, J. A.,	Verona,
Esler,	Kelly,	Parlante,	Walsh,
Ewing,	Kessler,	Pashley,	Wargo,
Farabaugh,	King,	Perry,	Welsh,
Filo,	Korns,	Petrosky,	Whittaker,
Fineman,	Kramer,	Piper,	Williams, A. D.,
Flynn,	Lamb,	Polaski,	Williams, E. S.,
Foerster,	Lawson,	Prendergast,	Wilt,
Fox,	Lee, K. B.,	Reibman,	Worley,
Frascella,	Leonard,	Reidenbach,	Wynd,
Fry,	Limper,	Renwick,	Yetter,
Galley,	Lippincott,	Riley,	Zember,
Gallagher,	Long, Wm. Jos.,		

NAYS—51

Anderson, J. H.,	Eshback,	Kernaghan,	Price,
Blair,	Fetterolf,	Kistler,	Pursley,
Bower,	Foor,	Knecht,	Seltzer,
Bowman,	Fulmer,	Kooker,	Stone,
Breth,	Goldstein, J. H.,	Kornick,	Varner,
Buchanan,	Gross,	Lee, A. M.,	Wall,
Cioffi,	Guthrie,	Long, Wm. Jas.,	Weidner,
Cooley,	Helm,	Marsh,	Wescott,
Davis,	Henzel,	McInroy,	Willaredt,
Dengler,	Hocker,	Miller,	Wood,
Dennison,	Holl,	Odorisio,	Zimmerman,
Down,	Holliday,	Ogilvie,	Andrews,
Edwards,	Keiser,	Polen,	Speaker

NOT VOTING—9

Johnson, A. W.,	Mihm,	Royer,	Trusilo,
Klein,	O'Donnell, J. P.,	Tompkins,	Willard,
McCormack,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1354, entitled:

An Act amending the "Municipal Borrowing Law" approved June 25, 1941 (P. L. 159), further regulating the time of holding special elections and for certifying desire ordinances to increase the debt of the municipality.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER. The Chair recognizes the gentleman from Dauphin, Mr. Bowman.

Mr. BOWMAN. Mr. Speaker, I would like to interrogate one of the sponsors of the bill, Mr. Lamb from Allegheny.

The SPEAKER. Will the gentleman from Allegheny, Mr. Lamb, permit himself to be interrogated?

Mr. LAMB. I shall, Mr. Speaker.

Mr. BOWMAN. The gentleman from Allegheny did discuss this bill briefly with me, but I would like him to explain to the House the problem incident to the absentee ballot voting which was posed by the present law, Municipal Borrowing Law.

Mr. LAMB. Mr. Speaker, the present law regulating absentee ballots provides that the county election districts 25 days before the election shall begin sending out absentee ballots. The Municipal Borrowing Law provides that a municipality desiring to place a question on the ballot with respect to a borrowing problem, for example, that a certain municipality be permitted to borrow X-number of dollars, shall advertise their intent of placing this on the ballot within 25 days of the election involved. So you can see there is an inconsistency, that the absentee ballots have to be out, or they start putting them out, 25 days before the election. If the municipality can announce its intention of holding a special election within 25 days from the election, then this question cannot be placed on the absentee ballot. So it is the intent of this law to provide that any municipal election with respect to any special question to be voted on by the voters has to be announced within 50 days of the date of the election, thereby allowing the question to be placed on the absentee ballot.

Mr. BOWMAN. Mr. Speaker, I thank the gentleman and would like to speak on the bill.

The SPEAKER. The gentleman is in order and will proceed.

Mr. BOWMAN. Mr. Speaker, I will only call to the attention of the members of the House that the present law, the Municipal Borrowing Law, permits the question to be certified 30 days before and for special elections 25 days before, as has been explained by the gentleman from Allegheny, Mr. Lamb.

However, I would point out to the House that by moving the last day in which the local government can act back 55 days before the special election, you are to a certain degree restricting the local municipality in requiring them to act more promptly than many times they feel they can act. I would have hoped that the period for certification or change here would not be the 55-day period, but perhaps a 30-day period.

However, I will not ask that the bill be held over. I will just call that to the attention of the members that all

municipal governments, if this bill passes, must present their question to the county within at least 55 days before an election. It is a little long, but I will not oppose the bill.

On the question recurring,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—194

Adams,	Fulmer,	Lee, A. M.,	Riley,
Anderson, J. H.,	Gailey,	Lee, K. B.,	Rovansek,
Anderson, S. A.,	Gallagher,	Leonard,	Rubin,
Arlene,	Gelfand,	Limper,	Rudisill,
Ashton,	George,	Lippincott,	Rutherford,
Auker,	Gibb,	Long, Wm. Jas.,	Sakulsky,
Backenstoe,	Gibbons,	Long, Wm. Jos.,	Scarcelli,
Blair,	Goldstein, J. H.,	Lutty,	Schaaf,
Bonner,	Goldstein, M. H.,	Magee,	Schuster,
Bossert,	Goodrich,	Manbeck,	Seltzer,
Bower,	Gramlich,	Markley,	Shelton,
Bowman,	Gray,	Marsh,	Sherman,
Branca,	Greenlee,	Maxwell,	Shupnik,
Breth,	Gremminger,	May,	Simmons,
Buchanan,	Gross,	McCann,	Slack,
Bush,	Guesman,	McDevitt,	Snare,
Capano,	Guthrie,	McDonald,	Stank,
Capitolo,	Hamilton,	McInroy,	Steckel,
Cauley,	Hankins,	McKeever,	Stimmel,
Cianfrani,	Hartley,	McLaughlin,	Stiteler,
Cioffi,	Haudenschild,	McNally,	Stone,
Clarke,	Heavey,	Meholchick,	Strausser,
Comer,	Heffner,	Merry,	Sullivan, J. A.,
Cooley,	Helm,	Miller,	Sullivan, T. F.,
Crossin,	Henzel,	Mills,	Taylor,
Curwood,	Hocker,	Monroe,	Thompson,
Davis,	Holl,	Morley,	Tompkins,
Dengler,	Holliday,	Mullen,	Trusio,
Dennison,	Holman,	Munley,	Ujobai,
Donaldson,	Irviss,	Murray,	Verona,
Dougherty,	Isaacs,	Musto,	Wall,
Doughten,	Jenkins,	Needham,	Walsh,
Down,	Jim,	O'Donnell, J. A.,	Wargo,
Edwards,	Johnson, A. W.,	Odorisio,	Weidner,
Eilberg,	Johnson, R. P.,	Ogilvie,	Welsh,
Eshback,	Jones,	Parlante,	Wescott,
Eshleman,	Kamyk,	Pashley,	Whittaker,
Esler,	Keiser,	Perry,	Willaredt,
Ewing,	Kelly,	Petrosky,	Williams, A. D.,
Farabaugh,	Kernaghan,	Piper,	Williams, E. S.,
Fetterolf,	Kessler,	Polaski,	Wilt,
Filo,	Kistler,	Polen,	Wood,
Fineman,	Knecht,	Prendergast,	Worley,
Flynn,	Kooker,	Price,	Wynd,
Foerster,	Kornick,	Pursley,	Yetter,
Foot,	Korns,	Reibman,	Zember,
Fox,	Kramer,	Reidenbach,	Zimmerman,
Frascella,	Lamb,	Renwick,	Andrews,
Fry,	Lawson,		Speaker

NAYS—4

King,	McCandless,	Murphy,	O'Dell,
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NOT VOTING—12

Bachman,	Horst,	Mihm,	Tomascik,
Boies,	Klein,	O'Donnell, J. P.,	Varnar,
Elvey,	McCormack,	Royer,	Willard,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1469, entitled:

An Act amending the "Building and Loan Code" approved May 5, 1933 (P. L. 457), further defining and limiting the rights powers duties and liabilities of such associations further specifying types of collateral for mortgage loans.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER. The Chair recognizes the gentleman from Blair, Mr. Auker.

Mr. AUKER. Mr. Speaker, I rise to oppose this legislation.

I am going to preface my remarks somewhat. We had at one time in Altoona about 42 building and loan associations. They all prospered, or thought they were prospering, through the "Roaring 20's" until the boom was lowered in 1929, '30 and '31. People, especially the older members of the House, who remember those "Roaring 20's" and the bad years of 1929, '30 and '31, on up to '39, '40 and '41, will well remember the great wave of building and loan failures that occurred over this State.

We liquidated practically all the associations in Altoona, except possibly two or three that were real small and were not affected by big loans and by close risk loans, as many of the other associations were and which got them into trouble.

I was one of the liquidators who liquidated a group of six of those building and loan associations, and I can say with absolute certainty and authority that the losses that we took were on the big loans, the loans of \$10,000, \$12,000, and on up, even above \$6,000, \$5,000 or \$6,000. The building and loan associations lost very little money on the smaller type loans, that is, market values of \$3,000, \$4,000, up to \$5,000 and \$6,000.

I believe that here again we are stepping into a realm that is a dire risk, a very grave risk, to the people who have their money invested in these associations. Many of them have their life savings invested therein. Many of them have invested in these associations to provide educational expenses for their children when their children grow up and become of age to go away to school.

Mr. Speaker, before speaking further, I would like to interrogate one of the sponsors of this bill.

The SPEAKER. Will the gentleman from Allegheny, Mr. Lamb, permit himself to be interrogated?

Mr. LAMB. I shall, Mr. Speaker.

Mr. AUKER. Mr. Speaker, I would like to ask the gentleman what is the purpose of this bill?

Mr. LAMB. Briefly, Mr. Speaker, the purpose is this:

As the gentleman may know, all of the Federal chartered building and loan associations in this State now have the same rights which House bill 1469 will give to the State chartered associations. That is the main purpose of the bill.

Mr. AUKER. Mr. Speaker, I would like to ask the gentleman if, in his opinion, he does not consider a loan wherein you are lending above what the present law requires, above 80 percent of the market value of the property, a greater risk loan than under 80 percent of the market value of the property?

Mr. LAMB. I am sorry, Mr. Speaker, I did not get the last part of that question, although I tried to hear it.

Mr. AUKER. I will repeat the question, Mr. Speaker. There is a good bit of commotion and, possibly, it is hard for the gentleman to hear. There is considerable conversation in the House and it makes it hard to hear.

The SPEAKER. It simply delays the proceedings when there is too much conversation.

The gentleman will proceed.

Mr. AUKER. Mr. Speaker, I would like to ask the gentleman if, in his opinion, there is not a greater risk attached to a building and loan association loaning money on a property to an amount above 80 percent of the market value of the property, than on a loan that is made below 80 percent of the market value of the property?

Mr. LAMB. Mr. Speaker, in any loan, whether the amount involved is above or below 80 percent of the market value of the property, of course, there is a certain risk. So in answer to the gentleman's question as to whether or not there is a risk, I have to say there is a risk in any loan. I do not feel that there is any greater risk, however, on a loan in an amount in excess of 80 percent. I might point out to the gentleman that many, many such loans are being made throughout the State with the sole purpose, of course, of aiding the house-building industry and aiding those people who for one reason or another do not have sufficient money to come up with a substantial down payment, but who are good credit risks and over the period of time will pay this amount off.

Mr. AUKER. Mr. Speaker, I would like to ask the gentleman if it would not be possible under this bill, depending on what appraisal is put on the market value of the property, that in some instances, probably in many instances, there could not be loans made up to 100 percent of the market value of the property?

Mr. LAMB. Mr. Speaker, the bill does provide that the limitation on the amount of the loan shall be 80 percent of the stated purchase price. If the gentleman asks me whether or not it is not possible for someone to inflate or to lie about the purchase price, my answer to that would have to be, of course, that is possible. But in the event that something like that happened, I feel certain that such a real estate broker who would permit something like that to occur would not receive the services of any home financing agency throughout the State at some future time.

Mr. AUKER. I thank the gentleman. That is all.

I cannot agree with the gentleman's argument in support of the bill as stated on my examination. The fact that Federal savings and loan associations allow this kind of risk loans is no analogy that I can see that we in Pennsylvania should allow this sort of risk loan above 80 percent of the market value of the property.

Let us take the person who is going to buy a property, and they only have 10 percent, or under this bill possibly 5 percent of the value of the property, invested in it themselves. So they make the loan and they go along and make their payments for a time. Then they get into a lot of economic hard luck, and they have not lost anything except the bare 5 percent of the property. Otherwise, all they have been paying is rent. Now, if a person has 20 percent invested in a property under the present law, let us take a \$10,000 property, he has \$2,000 invested in that property. I am not thinking now so much of the people who are seeking to buy these properties, a lot of them on a shoestring; I am thinking about the people who have invested their hard-earned money in these associations and whom the law as it stands now in Pennsylvania is designed to protect, and whom I believe we should go on to protect. That is the main criteria, the

investor should at least be protected. A man who is going to lose \$2,000 in a property, if he has \$2,000 invested in a property, is going to make every possible effort he can and in every way possible to hold onto that property, and a good association will help him.

Now, when it comes to lending up to 90 or 95 percent of the value of a property, as I say, I believe that is too much of a risk loan for a building and loan association in this State to participate in. As I said before, the mere fact that the Federal savings and loan associations are allowed to do so, and they are taking a bad risk, is no reason why we here in Pennsylvania should also assume that risk. It seems to me that the thing to do would be to persuade Congress to pass legislation to reduce those rates and protect the people in those Federal savings and loan associations.

Mr. Speaker, I want to read into the record, I had a man, a very good accountant, who does accounting work—while I am possibly somewhat reluctant to mention this at this particular time, he is a certified public accountant of statewide reputation—and he does accounting work for various associations. He says here that this bill, if enacted into law, and I quote:

"... would enable subsequent builders to get control of building and loan associations and use them as a verification for financing 100 percent of certain types of loans.

(2) The 10% variation (from 90% to 100%) on appraisals of property is a very slim margin and could result in many cases in financing 100% of the property.

"(3) I do not believe it necessary to compete in this type of financing which could cause the same difficulties that are now arising and causing building and loan associations to become bankrupt in Arizona and California."

That is the decided and very definite opinion of a man who really knows building and loan work and building and loan financing, and I certainly believe, in view of this, in view of this risk problem and in view of the fact that the building and loan laws in the State are designed primarily—I would like to repeat that, the building and loan laws in this State are designed primarily—to protect the investor, that this type of loan is not good for investors in building and loan associations.

I, therefore, ask all the members of this House to vote against it.

Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Gelfand.

Mr. GELFAND. Mr. Speaker, I, too, rise in opposition to this legislation. The reason for my opposition is this: During the last few years, in almost every successive session of this legislature, we have had legislation of this nature introduced which would increase the lending capacity of building and loan associations insofar as mortgage loans on real property are concerned. I can well remember last session, I believe, or the session before, when I stood up at this microphone and demonstrated to this House that if we passed legislation increasing the lending capacity—

The SPEAKER. For what purpose does the gentleman from Berks rise?

Mr. GELFAND. I am not finished, Mr. Speaker.

The SPEAKER. The gentleman will please be seated.

Mr. GELFAND. As I was saying, Mr. Speaker, I can

well remember last session and the session before when we discussed similar legislation that I stood at this microphone and predicted that if we did so we would only be confronted in the future with additional requests to permit additional lending capacity on the part of building and loan associations with respect to real estate loans. Now I see the prediction that I made has come to fruition, and the only excuse for this type of legislation is that the Federal Government permits Federal savings and loan associations to do so and, therefore, the building and loan associations of Pennsylvania must be in a position to compete successfully.

I do not believe that such an argument is a good one, because if the Federal Government is willing to permit Federal savings and loan associations to tread into areas which may be unsafe financially for them, I do not believe that this Commonwealth should permit the building and loan associations of Pennsylvania to do so.

Actually, what we do now by permitting this change would be to allow a building and loan association to tread in the area of more than 80 percent of the real value of real property in order to make a mortgage loan. We all know that in the event of a foreclosure it is a very, very rare instance that at a forced sale such value is recovered, and what would happen eventually is that the savings and loan associations would find themselves in distressed financial circumstances, buying back or taking back properties for less than the money they had actually loaned for same.

Since these institutions have always been considered of a conservative nature, they are institutions in which small savers save their money, I believe it is incumbent upon us to be careful of what we do in increasing the risk that these institutions can take. Permitting such an institution to lend more than 80 percent of the market value of real property moves into an area which I believe would endanger the savings of small people who invest and save in such institutions. As a consequence, I believe that in consideration of this legislation we should tread carefully, we should consider fully what we do because competition in financial areas only leads to dangerous financial investment.

If we permit continued competition in an area such as this, all we do is endanger savings of people who may be in a position not to protect themselves adequately.

In conclusion, I think that, as I said before, it is incumbent upon us, in order to protect the small savers of this Commonwealth, those who use building and loan associations, not to pass this type of legislation, but that we defeat it wholeheartedly and resoundingly so it will not rear its head again, at least in this session, because once we allow legislation like this to get by us, we will find at coming sessions that we only tread into more and more dangerous areas, we will be requested to be more liberal, and what we permit insofar as lending is concerned ultimately will result in our doing the very things we want to stop insofar as financing is concerned and so far as preventing a great real estate depression as we had one time before. I think we all ought to vote down this legislation.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Lamb.

Mr. LAMB. Mr. Speaker, I just wish to point out for the House that the bill itself has the required safeguards

written into it; I wish to also point out that it was approved by the Department of Banking.

I am sure that this is the type of legislation that is going to be necessary, if the State chartered building and loan associations are to continue in the State of Pennsylvania.

The SPEAKER. The Chair recognizes the gentleman from Berks, Mr. Adams.

Mr. ADAMS. Mr. Speaker, I would like to interrogate you. What is the procedure to get recognition here?

The SPEAKER. All that is necessary to obtain recognition is to rise in your place and, according to the rules, address the Chair.

It used to be that members rose and said, "Mr. Speaker," and the Chair recognized them. Now, the member rises and they do not say anything and the Chair does not know whether they want recognition or whether they are simply talking to a neighbor.

Mr. ADAMS. Mr. Speaker, I was waiting until the gentleman was finished, to get recognition. Several times, on previous legislation, I moved my toggle switch which, I understand, is to light the light in front of the Chair, to get recognition, and I have been informed by the Chair that it got covered with papers frequently and I did not get the opportunity to speak.

The SPEAKER. If the gentleman was seeking recognition by the toggle switch and was not recognized by the Chair, the Chair apologizes to the gentleman.

He can do either one of the two things: if he fails in operating his toggle switch to get recognition, he can rise in his place and address the Chair loudly and forcefully.

Mr. ADAMS. From his seat?

The SPEAKER. From his seat. That is the rule that applies so far as the rules of this House are concerned. To get recognition a member rises in his seat and addresses the Chair. It is not generally observed, but it is, nevertheless, the rule by which this House is supposedly governed.

Mr. ADAMS. I have tried that a few times and failed.

The SPEAKER. I would like to have the gentleman catch me sometime when he addresses the Chair audibly and the Chair fails to recognize him. The gentleman has the floor and will now proceed.

Mr. ADAMS. I cannot hear you.

The SPEAKER. There is a way of terminating debate if the members want to resort to it. They can terminate it by calling for a roll call when a member has the floor.

Mr. ADAMS. I would like to speak on the bill.

The SPEAKER. The gentleman is in order and the Chair has recognized him.

Mr. ADAMS. Mr. Speaker, it has been stated here that there is opposition to the bill because of hazards to investors in the building and loan associations. I believe the fact has been overlooked that a large percentage, if not all of these building and loans and savings and loans, are insured with the Federal Deposit Insurance Corporation up to \$10,000. At least in the city of Reading they are because I have had dealings with a number of them.

There certainly is a greater percentage of risk in investing in these organizations, but the dividend that is paid is also higher than it is in the banks. If the investors feel that the hazard is too great under this type of legislation, they have the prerogative of withdrawing their money and putting it in the bank at a lower rate of interest, and

with, perhaps, a greater degree of security, at least in their minds.

We have heard a lot of talk about trying to help people, the poor people. As I understand this bill it is for the purpose of making it easier for the poor people to buy homes. Now we are either for the poor people or we are against them. I know it is very difficult for a lot of people to buy homes and I think there is nothing wrong in making it easier for people to buy homes so they can eventually own them and call them their own. There are certainly plenty of safeguards under which the building and loans and savings and loans operate that they can protect the money they have invested there. I feel this is a step in the right direction.

The SPEAKER. The Chair recognizes the gentleman from Blair, Mr. Auker.

Mr. AUKER. Mr. Speaker, I am sorry to take up the time of the House so much, but when we consider that we are trying to protect the investments of some 3½ to 4 million people in this State, then I think there is some merit to airing this problem fully just as fully as we can possibly air it.

I am wondering why there is a law on the books that banks cannot lend above 60 percent of the market value of the property. And for whose protection is that and this present law on the books? This law was put on the books primarily because of our experience, and if we never learn by experience, we certainly are not going to learn. I do not know how hard we have to be hit over the head to really learn what we should know and to profit by what we should know. We went through the depression, yes, and, as I said, and it has never been disproved and it is a fact beyond argument, I believe, that this type of loan is the type of loan that caused building and loans to fail during the 30's, just this very type of loan. That is what I am concerned about. We know, of course, that they are insured. So are banks insured, and yet the banking law is still 60 percent of the market value. Why should the banks have greater protection than the building and loans, or people who have their loans in bank stocks or invested in banks? So far as the gentleman from Berks saying that they can withdraw their money from building and loans, that, Mr. Speaker, is probably true in theory. But we are not talking theories so much as we are practical talk and practical debate.

People who invest in building and loans have confidence in the directors that they as stockholders elect; they have confidence in their officers. Of course, they are not going to go around and ask whether or not they are making 80 percent loans, or 60 percent loans, or 50 percent loans. Building and loan business is just not conducted that way in practice. It is one thing to say such a thing in theory, but the fact is, in practice it does not work out that way.

So I say to you in all seriousness, let us not take a backward step in Pennsylvania. Let us profit by the experience we had in the depression years, and let us protect these people who have their money invested in these associations, so that these extra risk loans—and I call them extra risk loans because that is what they are in my estimation—cannot be made and the investors in these associations can be fully protected. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman

from Berks, Mr. Adams, who, under the rules, is entitled to speak the second time.

Mr. ADAMS. Mr. Speaker, I would like to correct some incorrect statements that were made by the gentleman from Blair, Mr. Auker.

He made the statement, if I understood him—it was difficult to understand part of what he was saying because he seems to make his speech rather mushy—I am hoping that mine can be understood, in spite of these boxes sitting on the wall.

He made the statement, as I understood it, that the banks were limited to 60 percent mortgage financing. In my section of the State they are not. It is 66-2/3 percent, and, in some instances, some categories of banks are 75 percent, and as far as FHA financing is concerned, mortgaging is taking place on a like setup in the banks of 90 and 92 percent. Now that is a fact and it is accurate because I have been handling some of those deals in my business. That 60 percent is not correct and it is entirely misleading.

I think the bill is a step in the right direction.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—108

Adams,	Fry,	Lee, A. M.,	Renwick,
Anderson, S. A.,	Fulmer,	Leonard,	Riley,
Arlene,	Gailey,	Limper,	Rovansek,
Bachman,	Gallagher,	Lippincott,	Rubin,
Boies,	George,	Long, Wm. Jas.,	Scarcelli,
Breth,	Gibb,	Long, Wm. Jos.,	Schuster,
Capano,	Gibbons,	Lutty,	Shelton,
Capitolo,	Goldstein, M. H.,	Maxwell,	Shupnik,
Cioffi,	Gray,	McCann,	Simmons,
Clarke,	Greenlee,	McDevitt,	Snare,
Comer,	Gremminger,	McDonald,	Stimmel,
Cooley,	Guesman,	McLaughlin,	Sullivan, J. A.,
Crossin,	Hamilton,	McNally,	Sullivan, T. F.,
Curwood,	Hankins,	Meholchick,	Taylor,
Dengler,	Haudenschild,	Mills,	Thompson,
Dennison,	Heavey,	Musto,	Tomasick,
Donaldson,	Irvlis,	Needham,	Trusio,
Dougherty,	Jenkins,	Odoriso,	Varner,
Doughten,	Jim,	Parlante,	Verona,
Eilberg,	Jones,	Pashley,	Walsh,
Esler,	Kamyk,	Perry,	Wargo,
Ewing,	Kelly,	Petrosky,	Welsh,
Farabaugh,	Kernaghan,	Polaski,	Williams, A. D.,
Filo,	Kornick,	Polen,	Wilt,
Fineman,	Kramer,	Prendergast,	Yetter,
Flynn,	Lamb,	Reibman,	Andrews,
Foerster,	Lawson,	Reidenbach,	Speaker
Frascella,			

NAYS—92

Anderson, J. H.,	Goldstein, J. H.,	Lee, K. B.,	Rutherford,
Ashton,	Goodrich,	Magee,	Schaaf,
Auker,	Gramlich,	Manbeck,	Seltzer,
Backenstoe,	Gross,	Markley,	Sherman,
Blair,	Guthrie,	Marsh,	Slack,
Bonner,	Hartley,	May,	Stank,
Bower,	Heffner,	McCandless,	Steckel,
Bowman,	Helm,	McInroy,	Stiteler,
Branca,	Henzel,	McKeever,	Stone,
Buchanan,	Hocker,	Merry,	Strausser,
Bush,	Holl,	Miller,	Tompkins,
Cauley,	Holliday,	Monroe,	Ujobai,
Cianfrani,	Holman,	Morley,	Wall,
Davis,	Horst,	Mullen,	Weldner,
Down,	Isaacs,	Munley,	Wescott,
Edwards,	Johnson, A. W.,	Murphy,	Whittaker,
Elvey,	Johnson, R. P.,	Murray,	Willaredt,
Eshback,	Kelser,	O'Dell,	Williams, E. S.,
Eshleman,	Kessler,	O'Donnell, J. A.,	Wood,
Fetterolf,	King,	Ogilvie,	Worley,
Foor,	Kistler,	Piper,	Wynd,
Fox,	Kooker,	Pursley,	Zemher,
Gelfand,	Korns,	Rudisill,	Zimmerman,

NOT VOTING—10

Bossert,
Klein,
Knecht,McCormack,
Mihm,
O'Donnell, J. P.,Price,
Royer,Sakulsky,
Willard,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

ANNOUNCEMENT BY MAJORITY LEADER

Mr. McCANN. Mr. Speaker, may I take this opportunity to inform the House that this will be the last roll call today. I ask that the membership stay for the committee announcements, for the reports of committees, and that those who have amendments that were agreed to remain so they may be properly amended.

Tomorrow, Mr. Speaker, I ask that the membership please have their lunch before they come to the session, for we will proceed to vote on, very likely, 25 to 30 bills before we go to caucus.

The House will convene tomorrow at 12 o'clock noon, daylight saving time.

Mr. HELM IN THE CHAIR.

COMMITTEE MEETINGS

AGRICULTURE and DAIRY INDUSTRIES, Mr. Fara-
baugh, chairman, Room 131-A, Wednesday, June 21, at
10 a.m.

APPROPRIATIONS, Mr. Polen, chairman, Room 245,
Wednesday, June 21, at 10 a.m.

BANKING and BUILDING and LOAN ASSOCIA-
TIONS, Mr. Parlante, chairman, Room 131-A, Wednes-
day, June 21, at 11:30 a.m.

CITIES-COUNTIES SECOND CLASS and SECOND
CLASS A, Mr. Lutty, chairman, Room 131-B, Wednesday,
June 21, at 9:45 a.m.

EDUCATION, Mrs. Reibman, chairman, Room 324,
Wednesday, June 21, at 9:30 a.m.

ELECTIONS, Mr. Eilberg, chairman, Room 323, Wednes-
day, June 21, at 11:45 a.m.

JUDICIARY, Mr. Rudisill, chairman, Room 149, Wed-
nesday, June 21, 10 a.m.

MILITARY AFFAIRS, Mr. Needham, chairman, Room
324, Wednesday, June 21, at 11:45 a.m.

MOTOR VEHICLES, Mr. Limper, chairman, Room 521,
Wednesday, June 21, at 10:45 a.m.

MUNICIPAL CORPORATIONOS, Mr. Polaski, chair-
man, Room 331, Wednesday, June 21, at 11 a.m.

PROFESSIONAL LICENSURE, Mr. Boies, chairman,
Room 131, Wednesday, June 21, at 10:30 a.m.

PUBLIC UTILITIES and CORPORATIONS, Mr. Mills,
chairman, Room 131-F, Wednesday, June 21, at 11:15 a.m.

STATE GOVERNMENT, Mr. Fineman, chairman,
Room 522, Wednesday, June 21, at 11 a.m.

WELFARE, Mr. Stone, chairman, Room 331, Wednes-
day, June 21, at 11 a.m.

WORKMEN'S COMPENSATION, Mr. Capano, chair-
man, Room 131-G, Wednesday, June 21, at 11:30 a.m.

ALL TIMES ARE DAYLIGHT SAVING TIME

BILLS RE-REFERRED

Mrs. REIBMAN from the Committee on Education,

returned with the recommendation that it be re-referred to the Select Committee on Education, House bill No. 1026, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing a general standard reimbursement fraction for certain purposes where reimbursement fractions are used and revising the basis for reimbursements on account of instructions.

The SPEAKER pro tempore. The bill is re-referred to the Select Committee on Education.

Mrs. REIBMAN from the Committee on Education, returned with the recommendation that it be re-referred to the Select Committee on Education, House bill No. 1027, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for the payment of minimum salaries and increments of county and district superintendents, assistant county and district superintendents, principals, supervising principals, teachers and other employees.

The SPEAKER pro tempore. The bill is re-referred to the Select Committee on Education.

BILL INTRODUCED AND REFERRED

By Messrs. SCARCELLI, PARLANTE, CAPITOLO
and ESHBACK. HOUSE BILL No. 1790.

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333), providing for the use of different colored ballots and machine labels so as to distinguish political parties in primary elections.

Referred to the Committee on Elections.

TIME EXTENDED ON BILLS

Mr. McCANN asked and obtained unanimous consent to extend the time five days on House bill No. 203, printer's No. 1339, on page 9 of today's calendar, bills on final passage postponed.

Mr. McCANN asked and obtained unanimous consent to extend the time five days on House bill No. 216, printer's No. 1861, on page 9 of today's calendar, bills on final passage postponed.

RESOLUTION

RECALLING HOUSE BILL NO. 1186 FROM
THE GOVERNOR

Mr. McCANN offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, June 19, 1961.
Resolved (if the Senate concur), that House Bill No. 1186, Printer's No. 1350, entitled "An Act providing for the payment of the salary medical and hospital expenses of members of the State Police Force of the enforcement officers and investigators employed by the Pennsylvania Liquor Control Board and the parole agents enforcement officers and investigators of the Pennsylvania Board of Parole and of policemen firemen and park guards by the Commonwealth of Pennsylvania counties cities boroughs towns and townships who are injured in the performance of their duty and providing that absence during such injury shall not reduce any usual sick leave period," be recalled from the Governor for the purpose of amendment.

Ordered, That the clerk present the same to the Senate for concurrence.

RESOLUTION

RECALLING HOUSE BILL NO 987 FROM
THE GOVERNOR

Mr. McCANN offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, June 16, 1961.

Resolved (if the Senate concur), that House Bill No. 987, Printer's No. 1576, entitled "An act authorizing minor spouses to join their adult spouse in the conveyance or mortgaging of their real estate and to execute bonds or other obligations in connection therewith and validating such actions heretofore taken," be recalled from the Governor for the purpose of amendment.

Ordered, That the clerk present the same to the Senate for concurrence.

RECONSIDERATION OF VOTE ON HOUSE
BILL No. 1450

Mr. EILBERG. Mr. Speaker, I move that the vote by which House bill No. 1450, printer's No. 1758, entitled "An act amending the act of April 12, 1951 (P. L. 90), entitled 'An act relating to alcoholic liquors, alcohol and malt and brewed beverages; amending, revising, consolidating and changing the laws relating thereto; regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in and use of alcoholic liquors, alcohol and malt and brewed beverages and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant; prescribing penalties and forfeitures; providing for local option and repealing existing laws,' authorizing licenses for the retail sale of liquor and malt or brewed beverages on city premises in cities of the first class under certain terms and conditions and to be known as public event licenses," was defeated on final passage on Wednesday, June 14, 1961, be reconsidered.

Mr. DOUGHERTY. Mr. Speaker, I second the motion.

The SPEAKER pro tempore. How did the gentleman from Philadelphia, Mr. Eilberg vote on the final passage of this bill?

Mr. EILBERG. Mr. Speaker, I voted with the prevailing side.

The SPEAKER pro tempore. How did the gentleman from Philadelphia, Mr. Dougherty vote on the final passage of this bill?

Mr. DOUGHERTY. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED

Mr. McCANN. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1531, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), authorizing transfer to certain boards of township supervisors without charge or at a nominal fee materials salvaged from State highways and bridges.

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. KESSLER. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. KESSLER asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Title, page 2, twelfth and thirteenth lines of Title, by striking out "authorizing transfer to certain boards of township supervisors without charge or at a nominal fee" and inserting: further providing for the disposal of surplus

Amend Sec. 1 (Sec. 2003), page 3, lines 13 to 19; page 4, lines 1 to 5 by underscoring "WHERE THE DEPARTMENT OF HIGH-" in line 13 all of lines 14 to 19, page 3, and underscoring all of lines 1 to 5, page 4.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1644, entitled:

An Act authorizing any person diving in any waterway with the aid of a mechanical device to place a buoy at or near the place of submergence.

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. O'DELL. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. O'DELL asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Title, page 1, last line of Title, by inserting after "mergence" and fixing penalties
 Amend Sec. 2, page 2, line 9, by striking out "ONE HUNDRED AND"

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1663, entitled:

An Act amending the "Selective Sales and Use Tax Act" approved March 6, 1956 (P. L. 1228), defining and creating an exemption for processing.

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. FOERSTER. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. McCANN asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Sec. 1 (Sec. 2), page 5, line 20 by inserting after "FINISHING" impregnating

Amend Sec. 1 (Sec. 2), page 6, line 1 by inserting after "METALS" or plastics

Amend Sec. 1 (Sec. 2), page 6, by inserting between lines 10 and 11 (7) The production, processing and bottling of non-alcoholic beverages for wholesale distribution.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1664, entitled:

An Act amending the act of June 1, 1889 (P. L. 420), entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy nine" creating an exemption for processing as defined and limited with regard to capital stock tax

and franchise tax on domestic and foreign corporations joint-stock associations limited partnerships and companies

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. FOERSTER. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. McCANN asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Sec. 1 (Sec. 21), page 10, line 3 by inserting after "manufacturing" or processing

Amend Sec. 1 (Sec. 21), page 10, line 6 by inserting after "manufacturing" or processing

Amend Sec. 1 (Sec. 21), page 10, line 15 by inserting after "in" as

Amend Sec. 1 (Sec. 21), page 11, line 7 by inserting after "finishing" impregnating

Amend Sec. 1 (Sec. 21), page 11, line 7 by inserting after "metals" or plastics

Amend Sec. 1 (Sec. 21), page 11, line 12 by striking out "of" and inserting for sale of ornamental or

Amend Sec. 1 (Sec. 21), page 11, line 13 by striking out "FOR SALE OF ORNAMENTAL OR"

Amend Sec. 1 (Sec. 21), page 11, by inserting between lines 17 and 18 (7) The production, processing and bottling of non-alcoholic beverages for wholesale distribution

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate bill No. 104, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" granting the power to the Secretary of Highways to establish speed limits

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. A. W. JOHNSON. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. LIPPINCOTT asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Sec. 1 (Sec. 1002), page 4, line 2, by inserting brackets before and after "restricted"

Amend Sec. 1 (Sec. 1002), page 4, line 3, by inserting brackets before and after "restricted"

Amend Sec. 1 (Sec. 1002), page 4, line 3, by inserting after "zone" except that on limited access highways the signs shall be placed at the beginning and end of said limited access highways and at reasonable intervals in the discretion of the Secretary of Highways.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILL ON FINAL PASSAGE POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on final passage of House bill No. 518, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), further providing for no passing zones.

On the question recurring,

Shall the bill pass finally?

RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. GAILEY. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. GAILEY asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Sec. 1, page 2, line 1 by striking out "1113" and inserting: 102

Amend Bill, page 2, line 3 by striking out all of said line and inserting: by adding after the definition of "Non-resident's Operating Privilege" a new definition to read:

Section 102. Definitions.—The following words and phrases when used in this act shall, for the purpose of this act, have the following meanings, respectively, except in those instances where the context clearly indicates a different meaning:

* * *

"No Passing Zone.—A section of highway marked by official signs or paint markings indicating that passing is prohibited.

* * *

Section 2. Section 1113 of the act is amended to read: Amend Sec. 1 (Sec. 1113), page 2, line 13 by striking out the bracket before "Secretary"

Amend Sec. 1 (Sec. 1113), page 2, line 13 by inserting a bracket before "and"

Amend Sec. 1 (Sec. 1113), page 2, line 14 by striking out the bracket after "Designate"

Amend Sec. 1 (Sec. 1113), page 2, line 14 by inserting a bracket after "Zones" and inserting immediately thereafter: Shall Mark Areas Where Passing Is Prohibited

Amend Sec. 1 (Sec. 1113), page 3, lines 10 to 18 by striking out all of said lines and inserting: design official signs and paint marking standards and to place such signs or paint markings on the roadway to indicate no passing zones. Any no passing zone shall extend for a distance of not greater than one-eighth ($\frac{1}{8}$) of a mile between such signs and any extension of such no passing zone shall be marked by additional signs in like manner.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1546, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing an alternative method for establishing area technical schools.

On the question,

Will the House agree to the bill on third reading?

Mr. McCANN asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Section 1 (Section 1844.1), page 2, line 7, by striking out "the" where it appears the third time, and inserting: an

Amend Section 1 (Section 1844.1), page 2, line 8, by inserting after "if": an

Amend Section 1 (Section 1844.1), page 2, line 8, by striking out "schools" and inserting: school

Amend Section 1 (Section 1844.1), page 2, line 10, by inserting after "district": within an attendance area

Amend Section 1 (Section 1844.1), page 2, line 10, by striking out "their" and inserting: its

Amend Section 1 (Section 1844.1), page 2, line 10, by striking out "the" where it appears the second time, and inserting: each

Amend Section 1 (Section 1844.1), page 2, line 11, by inserting after "board": within an attendance area

Amend Section 1 (Section 1844.1), page 2, line 12, by inserting after "if": an

Amend Section 1 (Section 1844.1), page 2, line 12, by striking out "schools" and inserting: school

Amend Section 1 (Section 1844.1), page 2, line 16, by inserting after "directors": of the districts within an attendance area

Amend the Bill, page 2, by inserting after line 18:

Section 2. This act shall take effect immediately.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order.

The House proceeded to the third reading and consideration of House bill No. 1720, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), providing for forfeiture of funds by school districts or county boards of school directors for employing any person in a supervisory capacity who has not been certified for such position.

On the question,

Will the House agree to the bill on third reading?

Mr. McCANN asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Sec. 1, page 3, line 4, by inserting after the word "capacity" after June 30, 1961

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 239, entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code" authorizing the closing of court houses and other county offices on Saturdays in counties of the third class.

On the question,

Will the House agree to the bill on third reading?

Mr. McCANN asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Title, page 1, next to last line of Title, by striking out "authorizing" and inserting: directing

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 442, entitled:

An Act amending the act of June 9, 1911 (P. L. 736), entitled "An act making appropriations to institutions not wholly managed by the Commonwealth of Pennsylvania liens on the premises of such institutions for the use of the Commonwealth and providing for the collection thereof" limiting the terms of such liens to twenty years.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Mr. McCANN. Mr. Speaker, could I ask you now, on page 41 where we have bills on concurrence in Senate amendments, House bill 442, in accordance with the Speaker's remarks dealing with this bill, will this bill now come off the calendar or will it remain there?

The SPEAKER pro tempore. The bill will come off the calendar and be a message to the Governor. It will be removed. The bill is now back from the Senate in its original form and will go directly to the Governor.

Mr. McCANN. Thank you, Mr. Speaker.

I give you the supplementary report of the Committee on Committees and ask that it be printed for the information of the membership.

The SPEAKER pro tempore. The Chief Clerk advises the Chair that he will make mimeographed copies of the report and we can adopt the report tomorrow. Is this satisfactory?

Mr. McCANN. That will be all right. Then I would like to ask that at that time, after the adoption of the report, the Chief Clerk to mimeograph it so each member can insert in his book the changes of the new memberships.

RESOLUTION

SUPPLEMENTAL REPORT OF THE COMMITTEE ON COMMITTEES

Mr. McCANN presented the Supplemental Report of the Committee on Committees and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, June 20, 1961.

Resolved, that in compliance with the provisions of Rule 22 of the House, it is recommended that the members named herein be and are hereby elected members of the Standing Committees of the House of Representatives as designated:

APPROPRIATIONS

Down, Ralph E.	VICE	Johnson, Albert W.
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BANKING AND BUILDING AND LOAN ASSOCIATIONS

Greenlee, James W.	VICE	Vacancy
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CONGRESSIONAL APPORTIONMENT

Greenlee, James W.	VICE	Vacancy
Esler, James A.	VICE	Johnson, Albert W.

COUNTIES

Holl, Edwin G.	VICE	Down, Ralph E.
Wynd, Elisabeth S.	VICE	Wynd, James, Jr.

GAME & CONSERVATION

Wynd, Elisabeth S.	VICE	Ashton, William H.
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HIGHWAYS

Greenlee, James W.	VICE	Murray, John J.
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JUDICIARY

Esler, James A.	VICE	Donaldson, Lee A.
-----------------	------	-------------------

LABOR RELATIONS

Holl, Edwin G.	VICE	Gramlich, Harry S.
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MUNICIPAL CORPORATIONS

Greenlee, James W.	VICE	Vacancy
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PUBLIC UTILITIES AND CORPORATIONS

Murray, John J.	VICE	Vacancy
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WAYS & MEANS

Ashton, William H.	VICE	Johnson, Albert W.
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RESPECTFULLY SUBMITTED BY THE
COMMITTEE ON COMMITTEES:

Joshua Eilberg, Chairman
David M. Boies
Harris G. Breth
Robert K. Hamilton
Walter T. Kamyk
Martin J. Taylor
Joseph G. Wargo
Baker Royer
Raymond E. Wilt
Joseph W. Isaacs

Hiram G. Andrews, Speaker of the House, Ex-officio

BILLS AND RESOLUTIONS PASSED OVER

Mr. McCANN. Mr. Speaker, I request that all other bills and resolutions not acted upon on today's calendar be passed over.

The SPEAKER pro tempore. The Chair hears no objection.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HOUSE BILL No. 430

An Act declaring the policy of the Commonwealth with regard to discriminatory practices in educational institutions based upon race religion color ancestry or national origin prohibiting such discriminatory practices providing for procedure and enforcement providing for judicial review providing for administration by the Pennsylvania human relations Commission in the Department of Labor and Industry and defining its functions powers and duties hereunder.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 52

A Joint Resolution proposing an amendment to article

nine of the Constitution of the Commonwealth of Pennsylvania repealing section sixteen thereof which authorized the borrowing funds for the acquisition of toll bridges.

Referred to the Committee on Judiciary.

SENATE BILL No. 76

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929" increasing the maximum number of officers and men in the aggregate in the Pennsylvania State Police and making editorial changes.

Referred to the Committee on State Government.

SENATE BILL No. 182

An Act amending the act of August 9, 1955 (P. L. 323) entitled "The County Code" regulating the use of land for sanitary land fills by zoning.

Referred to the Committee on Rules.

SENATE BILL No. 588

An Act amending the act of May 10, 1939 (P. L. 111), entitled "Commerce Law" authorizing the Department of Commerce to aid political subdivisions in the purchase of land for industrial parks.

Referred to the Committee on State Government.

SENATE BILL No. 601

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" permitting motor vehicles owned and used by certain persons engaged in collecting news to be equipped with a warning light.

Referred to the Committee on Rules.

SENATE BILL No. 604

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" further providing for director representation in union or merged districts under certain conditions.

Referred to the Committee on Education.

SENATE BILL No. 618

An Act amending the act of June 3, 1937 (P. L. 1225), entitled "The Game Law" authorizing the issuance of permits to kill squirrels which have located themselves within dwelling houses or other buildings occupied by human beings.

Referred to the Committee on Game and Conservation.

SENATE RESOLUTION SERIAL No. 123

Referred to the Committee on Rules.

SENATE MESSAGE

HOUSE BILL CONCURRED IN BY SENATE

The clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 442.

An Act amending the act of May 13, 1915 (P. L. 286), entitled "Child Labor Law" permitting certain minors to be employed as caddies.

With the information that the Senate has passed the same without amendment.

SENATE MESSAGES

The clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Amended House Bills returned for concurrence, Nos. 254, 255, 530, 728 and 1165.

CORRECTION

Mrs. S. A. ANDERSON submitted the following statement on House bill No. 430 to replace statement of April 17, 1961 (Legislative Journal page 1161) which was submitted in error:

Mr. Speaker, I rise to ask the membership of the House to support enthusiastically House bill No. 430. As a former school teacher and as a mother of children born and raised in this Commonwealth, and as a citizen of the Commonwealth of Pennsylvania, I intend to vote for this measure because, in my opinion, it broadens the educational opportunities for the finest natural resource we have in this Commonwealth—our young people.

The history of this country, Mr. Speaker, clearly shows that immediately after men had fled from the narrowing restrictions of Europe to the freedom of America they sought to guarantee the continuation of this freedom by establishing systems of public education. It is obvious, Mr. Speaker, at the beginning of the sixth decade of the twentieth century, that this country could not have grown

to greatness and cannot continue to grow in greatness unless we utilize fully the educable ability of our young people.

I am proud, Mr. Speaker, of the high position the Commonwealth of Pennsylvania holds among the States of this Nation in its educational planning and in the success of the graduates of our schools; however, unfortunately, in several areas of education in our Commonwealth, highly destructive prejudices have crept in. These prejudices, Mr. Speaker, have acted in the past to prevent boys and girls of various races, colors and creeds from obtaining the education which is not only their right but which is our necessity. House bill No. 430 again states the proposition that all men, having been created equal, have an equal right to the educational facilities of this Commonwealth. This bill, Mr. Speaker, places no burden on those educational institutions which subscribe to this principle and it will, in time, I trust, eliminate from our educational system those practices which have held us back in our progress towards a truly free democracy.

ADJOURNMENT

Mr. SULLIVAN. Mr. Speaker, I move that this House do now adjourn until Wednesday, June 21, 1961, at 11 a.m.

The motion was agreed to, and (at 6:00 p.m., e. s. t.) the House adjourned.

Legislative Journal.

Session 1961.

145th of the General Assembly.

Vol. 38.

HARRISBURG, PA., WEDNESDAY, JUNE 21, 1961.

No. 65.

SENATE

WEDNESDAY, JUNE 21, 1961.

The Senate met at 10:30 a. m., Eastern Standard Time.

The PRESIDENT (Lieutenant Governor John Morgan Davis) in the Chair.

PRAYER

The following prayer was offered by the gentleman from Cuberland, Mr. WADE:

Let us pray.

O God, give us clean thoughts, clean words and clean hands. Help us to stand for the hard right against the easy wrong. Save us from habits that harm. Teach us to work as hard and play as fair in Thy sight alone as if all the world saw. Forgive us when we are unkind, and help us to forgive those who are unkind to us. Keep us ready to help others at some cost to ourselves. Send us more chances to do a little good every day, and to grow more like our Lord, Jesus Christ. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The proceeded to read the Journal of the preceding session, when, on motion of Mr. WEINER and Mr. LANE, further reading was dispensed with, and the Journal was approved.

GUESTS OF SENATOR ALBERT R. PECHAN PRESENTED TO SENATE

Mr. PECHAN. Mr. President, yesterday, you will recall, I said that for the first time in thirteen years I had as guests a group of young girls—a Girl Scout Troop—and their chaperons. This was the first time that we had an organized group here from my town of Ford City in thirteen years.

This morning, when I came down from Caucus, I found this very lovely group of ladies and friends of mine. Some of them I have known since I have been a young boy. They consist of the Ladies Auxiliary of a Fire Department in Ford Cliff. You might wonder whether we are cliff dwellers or not, but I want to tell you that Ford Cliff is almost a part of Ford City since it joins Ford City.

I am very happy to present to you, Mr. President and my colleagues in the Senate, this very fine group of ladies. They left Ford City at 5:00 a.m. this morning. They are on their way to Hershey. I would like the Chair, not to

go into the beautiful thing that you did for me yesterday, but just greet these ladies in your gracious manner.

The PRESIDENT. Will the ladies from Ford Cliff please rise?

We are indeed very happy to have you ladies with us. We realize that it did take an early rising to get you here so early this morning. However, we are glad to have you.

Mr. PECHAN. Mr. President, these guests are here under the leadership of Mrs. Teresa Rupert. If Mrs. Rupert will step forward, we can give her an extra bit of recognition.

The PRESIDENT. We do hope that you will have a wonderful time in Hershey, and we do hope that the rose gardens are in full bloom for you.

NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

MEMBERS OF THE BOARD OF TRUSTEES OF HOLLIDAYSBURG STATE HOSPITAL

June 21, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Hollidaysburg State Hospital:

Mrs. Greta McElhatten, R. D. 1, Port Matilda, Centre County, until the third Tuesday of January 1965, and until her successor is appointed and qualified.

Martin M. Brennan, Brisban, Clearfield County, until the third Tuesday of January 1967, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF SHAMOKIN STATE HOSPITAL

June 21, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Shamokin State Hospital, until the third Tuesday of January 1965, and until their successors are appointed and qualified:

Frank X. Hanley, 1710 West Chestnut Street, Shamokin, Northumberland County.

Stephen P. Jepko, 133 South Oak Street, Mount Carmel, Northumberland County.

George P. Conbeer, 945 West Independence Street, Shamokin, Northumberland County.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF
DIXMONT STATE HOSPITAL

June 21, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Dixmont State Hospital:

George I. Minch, 217 Oak Haven Drive, Coraopolis, Allegheny County, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

Mrs. Florrie Lee Johnson, 106 Sycamore Drive, Pittsburgh 35, Allegheny County, until the third Tuesday of January 1965, and until her successor is appointed and qualified.

Miss Genevieve W. Settino, 817 Melrose Avenue, Ambridge, Beaver County, until the third Tuesday of January 1963, and until her successor is appointed and qualified.

Harry H. Davis, R. D. 1, Riverview Avenue, Industry, Beaver County, until the third Tuesday of January 1967, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE STATE BOARD OF CHIROPODY
EXAMINERS

June 21, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John N. Petrus, 1437 West 29th Street, Erie, Erie County, for appointment as a member of the State Board of Chiropractic Examiners, for the term of four years, and until his successor shall have been appointed and qualified, vice Ralph H. Orr, Erie, whose term expired.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF
YOUTH DEVELOPMENT CENTER OF CANONSBURG

June 21, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John Inghram Hook, Bonar Avenue, Waynesburg, Greene County, for reappointment as a member of the Board of Trustees of the Youth Development Center at Canonsburg, until the third Tuesday of January 1965, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

HOUSE MESSAGES

RESOLUTION RECALLING FROM THE
GOVERNOR **HB 987**

The Clerk of the House of Representatives being introduced, presented extract from the Journal of the House of Representatives which was read, considered and concurred in:

In the House of Representatives, June 16, 1961.

Resolved (if the Senate concur), That House Bill No. 987, Printer's No. 1576, be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RECALLING FROM THE
GOVERNOR **HB 1186**

He also presented extract from the Journal of the House of Representatives which was read, considered and concurred in:

In the House of Representatives, June 19, 1961.

Resolved (if the Senate concur), That House Bill No. 1186, Printer's No. 1350, be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence **HB 155, 1140, 1221, 1354, 1438 and 1607**, which were referred to the Committee on Local Government.

He also presented for concurrence **HB 360**, which was referred to the Committee on Law and Order.

He also presented for concurrence **HB 1331**, which was referred to the Committee on Highways.

He also presented for concurrence **HB 1469**, which was referred to the Committee on Banking.

He also presented for concurrence **HB 1568**, which was referred to the Committee on Elections.

BILLS SIGNED

The President (Lieutenant Governor John Morgan Davis) in the presence of the Senate signed the following bills: **SB 95** and **HB 430**.

REPORTS FROM COMMITTEES

Mr. SILVERT, from the Committee on Banking, reported, as amended, **SB 644** and **789**.

Mr. WADE, from the Committee on Banking, reported as committed, **SB 477** and **HB 880**.

Mr. MURRAY, from the Committee on Mines and Mineral Industries, reported, as committed, **HB 754, 755 and 1468**.

Mr. RIPP, from the Committee on Education, reported as amended, **HB 722**.

Mr. HAYS, from the Committee on Education, reported, as amended, **SB 716, HB 58 and 59**.

Mr. ROONEY, from the Committee on Education, reported, as committed, **SB 129, 131, 225, 238 and HB 1212**.

REPORT FROM COMMITTEE ON EXECUTIVE
NOMINATIONS

Mr. DEVLIN, from the committee on Executive Nominations, reported the following nominations, made by his Excellency, the Governor, which were laid on the table:

MEMBERS OF THE BOARD OF TRUSTEES OF
CLARION STATE COLLEGE

June 13, 1961

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Board of Trustees of Clarion State College, until the third Tuesday of January 1967, and until their successors shall have been appointed and qualified:

Charles W. Dinger, 506 Grant Street, Reynoldsville, Jefferson County, vice John H. Hughes, Brookville, whose term expired.

Keva H. L. Miller, 304 Orange Street, Oil City, Venango County. (Reappointment)

DAVID L. LAWRENCE

MEMBERS OF THE BOARD OF TRUSTEES OF
FARVIEW STATE HOSPITAL

June 12, 1961

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Farview State Hospital:

Frank Zazzera, 70 North Church Street, Carbondale, Lackawanna County, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

Eugene A. Collieran, 1010 Moosic Street, Jessup, Lackawanna County, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

Stephen Kiehart, 213 South Main Street, Mayfield, Lackawanna County, until the third Tuesday of January 1965, and until his successor is appointed and qualified.

Carl Franceski, 1147 North Main Street, Forest City, Susquehanna County, until the third Tuesday of January 1965, and until his successor is appointed and qualified.

James A. Moore, 132 Seventh Avenue, Carbondale, Lackawanna County, until the third Tuesday of January 1967, and until his successor is appointed and qualified.

DAVID L. LAWRENCE

MEMBERS OF THE BOARD OF TRUSTEES OF
PHILIPSBURG STATE HOSPITAL

June 19, 1961

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Philipsburg State Hospital:

D. S. Braucht, Coalport, Clearfield County, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

Fred B. Huges, 509 West Market Street, Clearfield, Clearfield County, until the third Tuesday of January 1965, and until his successor is appointed and qualified.

DAVID L. LAWRENCE

JUSTICE OF THE PEACE

June 12, 1961

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate James C. Patton, Jr., Schenck Street, Noxen, Wyoming County, for appointment as Justice of the Peace in and for the Township of Noxen, Wyoming County, until the first Monday of January 1962, vice Mrs. Albino Simon, resigned.

DAVID L. LAWRENCE

MEMBER OF THE NORTHAMPTON COUNTY
BOARD OF ASSISTANCE

June 19, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Miss Beatrice Buckley (Democrat), 4550 Bayard Street, Easton, Northampton County, for appointment as a mem-

ber of the Northampton County Board of Assistance, until December 31, 1961, and until her successor is duly appointed and qualified, vice Mrs. Francis W. Barthold, Bethlehem, resigned.

DAVID L. LAWRENCE

UNANIMOUS CONSENT GRANTED FOR IM-
MEDIATE CONSIDERATION OF THE
CALENDAR

Mr. WEINER. Mr. President, I do not want to interfere, but I would like to ask for unanimous consent to proceed to the order of business of consideration of today's Calendar at this time, and then revert back to Bills Introduced and Referred, unless somebody at this moment has something that is earth shaking and cannot wait.

The PRESIDENT. Are there any earth shaking measures which will not wait while we consider the Calendar? Are there any objections to proceeding to the order of business of consideration of today's Calendar? There being no objection, we will now proceed to consideration of today's Calendar.

CALENDAR

FINAL PASSAGE CALENDAR

BILLS OVER IN ORDER

HB 197, SB 343 and 493—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

SB 687—Without objection, the bill was passed over in its order at the request of Mr. PECHAN.

THIRD READING CALENDAR

BILLS OVER IN ORDER

HB 67—Without objection, the bill was passed over in its order at the request of Mr. PECHAN.

HB 95—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILL ON THIRD READING AND FINAL PASSAGE

HB 160 (Pr. No. 1018)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Probert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McGreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

The majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

SB 230—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILL POSTPONED

SB 247 (Pr. No. 258)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

Mr. EHRGOOD. Mr. President, I find myself in a very unusual position. There is an old saying that you should never look a gift horse in the mouth. However, if you do not know what the gift is and perhaps do not even know whether it is a horse, it might be important to pause for a few minutes or maybe a few days.

Senate Bill No. 247, Printer's No. 258, has an unusual history. Being very charitable about the thing, I think there may be a misconception or a misunderstanding as to how my name got on this bill.

The bill was introduced without my name. It was added yesterday, I believe inadvertently, and I would like to have my name removed from the bill under all circumstances since it was not put there with my permission.

Mr. President, I have asked for this bill to go over, and it has gone over on Second Reading since May 24th, when it was reported out of committee.

Being a mere mortal, and being from Lebanon County, I could not quite understand what this bill was all about, and I thought by having it put over in its order, someone would be good and kind enough to explain the full situation to me. I do know that it is granting a piece of land in the borough of Cornwall, Lebanon County, to the State of Pennsylvania. I do know this is a gift to the Commonwealth of Pennsylvania, because I see that in the bill. It is a gift from the Bethlehem Minerals Company, which is a subsidiary of Bethlehem-Cuba Iron Mines Company. Perhaps it is not a subsidiary. They have so many corporations in Bethlehem Steel that perhaps they do get mixed up and do not know what each corporation is doing.

However, under any circumstances, Mr. President, I do not have the faintest idea of what the Bethlehem Minerals Company is conveying to the Commonwealth of Pennsylvania. No one from that company ever contacted me or any Member of the House of Representatives. Of course, being one of these mortal individuals, I may have a small bit of pique because of that situation. Then, of course, neither did the Pennsylvania Historical and Museum Commission contact me.

The two sponsors of the bill are not from Lebanon County. Of course, we would not allow Democrats in Lebanon County and Lancaster County to represent the Seventeenth Senatorial District. However, I wonder, Mr. President, if someone would be good enough to allow themselves to be interrogated in order to explain to me a few facts concerning this bill.

I do not see Senator Stiefel, who is the main sponsor of the bill. I think of Senator Rooney as a great friend, and I am not going to put him on the spot because I am sure he does not understand anything about the bill. Perhaps the Majority Leader, when he finishes his telephone conversation, could explain a few things and allow himself to be interrogated.

The PRESIDENT. Will the gentleman from Philadelphia, Mr. Weiner, permit himself to be interrogated?

Mr. WEINER. I will, Mr. President. I also want to assure the gentleman that I was paying attention to what he was saying and I want to add a few remarks as an addendum. I will allow myself to be interrogated.

Mr. EHRGOOD. Mr. President, would the Majority Leader explain exactly what this land, which is being conveyed in this bill, will be used for?

Mr. WEINER. Mr. President, as I understand this matter, the gentleman is absolutely correct in all of his remarks about the corporation that is giving this land. They are turning it over because it has some historical value. As a matter of fact, I think we are getting hysterical at this point with all of the to-do being made about this bill.

I am sorry that the expert on this matter, Senator Stiefel, is not here to discuss it in detail with you. However, the Museum Commission does have some program in mind for this land. I would be very happy to get those plans and submit them to you, Senator.

If you would allow me, in answering your question, Senator, I would like to make a brief remark and point out that there was an error made here, and I want to apologize on behalf of my colleagues for the error that was made in not extending the Senatorial courtesy of asking you to join them on this bill. As a matter of fact, I believe I suggested it to you. I also said to you that if these gentlemen persisted in this, I would not support this measure, and that I would ask that it be dropped from the Calendar. On that basis, I think since this is in your District and this is the kind of rapport we have maintained in this Body, I, as part of the leadership, will see that it is continued to be maintained. If it is your request at this time that this bill go back to committee until we have had more time to go into it, I will accede to that request without any further ado.

Mr. EHRGOOD. Mr. President, yes, I would desire that. However, I would like to further interrogate the gentleman. Also, I want the understanding that my name will be removed from the bill, under these circumstances.

Mr. WEINER. Mr. President, I will be very happy to go along with him if the gentleman wants his name removed from the bill. However, instead of cluttering the record with this, I think it would be easier if we sent this bill back to committee and took care of those problems right then and there without going into a great to-do here.

Mr. EHRGOOD. Mr. President, prior to having this bill go back to committee, would the gentleman allow himself to be further interrogated?

Mr. WEINER. I will, Mr. President.

Mr. EHRGOOD. Mr. President, will the gentleman explain to me whether this bill will cost any money?

Mr. WEINER. I am sorry, Senator. Would you repeat the question?

Mr. EHRGOOD. Mr. President, would this bill entail the cost of any money to the Commonwealth of Pennsylvania?

Mr. WEINER. It is my understanding, Senator, that it will not cost the Commonwealth a single penny. There is no appropriation attached to this and, for that reason, it was not even sent to the Appropriations Committee for their consideration.

Mr. EHRGOOD. Thank you, Senator.

The PRESIDENT. Senator Ehrgood, do you wish to move that the bill be recommitted?

Mr. EHRGOOD. No, Mr. President, I would like to make a few remarks first.

The PRESIDENT. More?

Mr. EHRGOOD. Yes, Mr. President.

Mr. President, I think the Majority Leader is in error as to whether this bill will cost the Commonwealth of Pennsylvania any money. It just so happens that the General State Authority Bill,—House Bill No. 1335—on page 16, has a little item in there for \$70,110 for the construction of a museum building, orientation area and office. Of course, that is under the General State Authority, and I do not know whether you can construe that as not costing the taxpayers of the Commonwealth of Pennsylvania any money or not, although in my humble opinion, it does cost money. The fact that perhaps it will be in twenty, thirty or forty-year bonds adds up to a great deal more than \$70,000 over a long period of time.

Also, Mr. President, since the Commonwealth of Pennsylvania will be taking over and having a museum, I am sure that the Commonwealth of Pennsylvania will have to maintain this building and, of course, it will cost money.

Therefore, Mr. President, I do not desire to make a motion for recommitment. If the Majority Leader wishes to do so, that is up to him. Otherwise, I am very happy to have the matter brought to a vote. Of course, under the circumstances and the tremendous lack of knowledge about what is entailed,—I do not even know exactly where the property is located in the borough of Cornwall—I must certainly ask everybody to vote "no" unless the bill is recommitted.

Mr. MULLEN. Mr. President, anyone who drives along Route 322 and rides through Cornwall cannot help but see this big open mine. It is a great big hole—the biggest I have ever seen. It looks like it was originally a strip mine. They dug so much and got so far down that it is really a sight to see. If anyone travels by there who has not seen it before, it is very likely that they will stop there and look down at this massive hole in the ground, the like of which I do not believe you will see anywhere in Pennsylvania.

I think this may have some historical value; I do not know. However, I certainly think those who are interested in this project should come here and explain to us the historical value of this place. If they do not, it may be that every strip miner in Pennsylvania might want the State to take over a mine because, while this is a big hole in the ground, they also have big holes over the ground.

Mr. EHRGOOD. Mr. President, I really appreciate Senator Mullin's remarks because this points up completely the lack of knowledge that I am talking about as to this area I am sure they do not want to put a museum on this tremendous open pit mine, which is still being operated, incidentally. They have a lot of shafts at the bottom of this pit. I am hoping the Bethlehem Minerals Company is not deeding over a valuable ore mine. I would be hopeful that is not the situation. That, again, I appreciate, Senator Mullin, because it points up this lack of knowledge.

The PRESIDENT. Perhaps the museum is to be built on several levels.

Mr. SEYLER. Mr. President, with Senator Stiefel not being here, I would just like to say a few words, but not in detailed explanation of what this bill would entail because I must confess that I am not prepared, as I am sure Senator Stiefel would be.

However, I want to say that this bill, as I understand it, originated from the Historical and Museum Commission. There are many sites in Pennsylvania which have historic importance. Not all of the history of Pennsylvania was made in the courthouses and Independence Hall. A lot of the very important history of Pennsylvania was made by the men and women who built up our industry.

In York County, for example, we have a historical site which is preserved at the present time, the Codorus Furnace, and which from the time of colonial days—and it played an important part in the Revolutionary War—was a pioneer in the manufacture of iron. It seems to me that the sites which attest to the greatness of industry and its development in Pennsylvania are just as important of preservation and commemoration as the site of a courthouse or some place where perhaps our political history has been stressed more than we have stressed the progress of industry.

I would say that the people of Lebanon County might be very happy to have within their boundaries a historical institution of this sort, which would commemorate a contribution made by that county to the industrial development of this great Commonwealth.

I suggest, as a practical measure, that if more information is desired, we should wait until the person who is the custodian of that information—namely, Senator Stiefel—is present.

Therefore, I would ask, Mr. President, if it is agreeable to the gentleman from Lebanon, that the bill go over in its order. As I understand it, that is what he requested, and if he is satisfied with that, I would ask that that be done.

Mr. EHRGOOD. Mr. President, I did not ask that the bill go over in its order. Unfortunately, next week I have to be at the Bar Association Meeting and cannot be here. Therefore, I would be hopeful that either the Majority Leader takes his course of action or that it be brought up for a vote today, since it is here on the Calendar and has been called up.

I do have some more remarks, but not on that subject.

Mr. SEYLER. Mr. President, I cannot, of course, speak for Senator Stiefel, but I believe I would be correct in saying that Senator Stiefel would not wish to bring this legislation to a vote if the Senator from Lebanon were absent. Therefore, if the gentleman would permit the bill to go over in its order, I feel certain that it would be intact at the time of his return. Then the information could be given, and we would consider it.

I would formally ask, Mr. President, that the bill go over in its order, and if the gentleman wishes to object, of course, that is his privilege.

The PRESIDENT. Is there an objection to the bill going over in its order?

Mr. EHRGOOD. Mr. President, of course, I would not object to anything like that. However, I would like to point out that the bill has been on the Calendar for a long time, and the opportunity has been afforded the Senator from Philadelphia, since May 24th, to bring

forth that information to the Members of this Senate, which he has not done.

I would also like to point out that no one in Lebanon County—and that includes myself—knows anything about this bill. Nothing has appeared in the newspapers about it. There have been no letters from any historical societies or anyone else concerning this bill. It comes out of the blue. This is a case of people from the central State Government going ahead and telling the local people what they have to do.

Mr. WEINER. Mr. President, may we be at ease a few moments?

The PRESIDENT. The Senate will be at ease.

(The Senate was at ease.)

And the question recurring,

Shall the bill pass finally?

Mr. WEINER. Mr. President, I request that Senate Bill No. 247, Printer's No. 258, be placed on the Final Passage Postponed Calendar.

The PRESIDENT. There being no objection, the bill will be placed on the Final Passage Postponed Calendar.

BILLS OVER IN ORDER

SB 261, 322, 344 and 345—Without objection, the bills were passed over in their order at the request of Mr. PECHAN.

HB 345 (Pr. No. 2303)—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. WEINER. Mr. President, I request that House Bill No. 345 go over in its order on Final Passage.

The PRESIDENT. There being no objection, the bill will go over in its order on Final Passage.

SB 351—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

The PRESIDENT. At this time, the Chair turns the gavel over to the very able gentleman from Allegheny, Senator Ripp, to preside.

The PRESIDING OFFICER (Joseph D. Ripp) in the Chair.

BILLS OVER IN ORDER

SB 435—Without objection, the bill was passed over in its order at the request of Mr. LANE.

SB 498 and 496—Mr. PECHAN. Mr. President, I request that Senate Bill No. 498 and Senate Bill No. 496, which seem to be reversed numerically on the Calendar, go over in their order.

The PRESIDING OFFICER. There being no objection, the bills will go over in their order.

SB 568 (Pr. No. 925)—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. STEVENSON. Mr. President, I request that Senate Bill No. 568 go over in its order on Final Passage.

The PRESIDING OFFICER. There being no objection, the bill will go over in its order on Final Passage.

SB 646, 664, 688, 690, HB 718 and 929—Without objection, the bills were passed over in their order at the request of Mr. LANE.

HB 973 and 979—Without objection, the bills were passed over in their order at the request of Mr. PECHAN.

HB 985—Without objection, the bill was passed over in its order at the request of Mr. LANE.

BILL ON THIRD READING AND FINAL PASSAGE

HB 990 (Pr. No. 2325)—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kromer,	Probert,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarraff,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Ehrgood,	McCreesh,	Seyler,	Weiner,
Flack,	McGinnis,	Shafer,	Wolfe,
Fleming,	McMenamin,	Silvert,	Yatron,
Haluska,	Miller,	Staisey,	Ripp,
Hawbaker,			Presiding Officer

NAYS—1

Kessler,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

BILL ON THIRD READING, DEFEATED ON FINAL PASSAGE

HB 1082 (Pr. No. 1199)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. LANE. Mr. President, I desire to change my vote from "no" to "aye."

The PRESIDING OFFICER. The gentleman will be so recorded.

Mr. WEINER. Mr. President, I desire to change my vote from "aye" to "no," in order that we may bring this bill back, at which time we may be fortunate enough to have a few more votes for this bill.

The PRESIDING OFFICER. The gentleman will be so recorded.

Mr. DONOLOW. Mr. President, I desire to change my vote from "aye" to "no."

The PRESIDING OFFICER. The gentleman will be so recorded.

Mr. SILVERT. Mr. President, I desire to be recorded as voting "no."

The PRESIDING OFFICER. The gentleman will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—15

Camiel,	Hays,	Mullin,	Seyler,
Devlin,	Lane,	Murray,	Yatron,
DiSilvestro,	McGinnis,	Rooney,	Ripp,
Haluska,	Miller,	Sarraf,	

NAYS—19

Confair,	Hawbaker,	Pechan,	Taylor,
Donolow,	Kalman,	Propert,	Van Sant,
Ehrgood,	Keller,	Silvert,	Wade,
Flack,	Kessler,	Stevenson,	Weiner,
Fleming,	Mallery,	Stroup,	

Less than a majority of all the Senators having voted "aye," the question was determined in the negative, and the bill was defeated.

BILLS OVER IN ORDER

HB 1139, 1181, 1367 and 1545—Without objection, the bills were passed over in their order at the request of Mr. LANE.

SECOND READING CALENDAR

BILLS OVER IN ORDER

SB 23—Without objection, the bill was passed over in its order at the request of Mr. LANE.

HB 53—Without objection, the bill was passed over in its order at the request of Mr. PECHAN.

BILL ON SECOND READING

SB 214 (Pr. No. 222)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

SB 257—Without objection, the bill was passed over in its order at the request of Mr. LANE.

SB 342, 353 and 375—Without objection, the bills were passed over in their order at the request of Mr. PECHAN.

SB 413, HB 455, SB 473 and HB 519—Without objection, the bills were passed over in their order at the request of Mr. LANE.

BILL ON SECOND READING

SB 531 (Pr. No. 588)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

SB 536—Without objection, the bill was passed over in its order at the request of Mr. LANE.

SB 576, 598, 610, 611 and 613—Mr. PECHAN. Mr. President, I request that Senate Bill No. 576, Senate Bill No. 598, Senate Bill No. 610, Senate Bill No. 611 and Senate Bill No. 613 go over in their order. Some of these bills were requested to go over by the Democratic side, but I think it is understood that they should go over as a package.

The PRESIDING OFFICER. There being no objection, the bills will go over in their order.

SB 614—Without objection, the bill was passed over in its order at the request of Mr. LANE.

SB 615, 620 and 622—Without objection, the bills were passed over in their order at the request of Mr. PECHAN.

BILL ON SECOND READING

SB 633 (Pr. No. 731)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

HB 644, SB 672 and 692—Without objection, the bills were passed over in their order at the request of Mr. LANE.

SB 715—Without objection, the bill was passed over in its order at the request of Mr. PECHAN.

BILLS ON SECOND READING

SB 731 (Pr. No. 851), SB 732 (Pr. No. 852) and SB 733 (Pr. No. 853)—Read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

SB 741, 746 and 747—Without objection, the bills were passed over in their order at the request of Mr. LANE.

BILL ON SECOND READING

SB 751 (Pr. No. 954)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

SB 760 and 768—Without objection, the bills were passed over in their order at the request of Mr. LANE.

BILLS ON SECOND READING

SB 780 (Pr. No. 936) and SB 788 (Pr. No. 944)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

SB 790—Without objection, the bill was passed over in its order at the request of Mr. LANE.

HB 837 and 853—Without objection, the bills were passed over in their order at the request of Mr. PECHAN.

HB 945—Without objection, the bill was passed over in its order at the request of Mr. LANE.

HB 1025 and 1075—Without objection, the bills were passed over in their order at the request of Mr. PECHAN.

BILL ON SECOND READING

HB 1077 (Pr. No. 2236)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

HB 1085, 1098, 1099 and 1101—Without objection, the bills were passed over in their order at the request of Mr. PECHAN.

HB 1150—Without objection, the bill was passed over in its order at the request of Mr. LANE.

HB 1174 and 1178—Without objection, the bills were passed over in their order at the request of Mr. PECHAN.

HB 1213—Without objection, the bill was passed over in its order at the request of Mr. LANE.

HB 1241—Without objection, the bill was passed over in its order at the request of Mr. PECHAN.

BILL ON SECOND READING

HB 1293 (Pr. No. 1509)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

HB 1344, 1346, 1347 and 1350—Without objection, the bills were passed over in their order at the request of Mr. PECHAN.

HB 1353 and 1402—Without objection, the bills were passed over in their order at the request of Mr. LANE.

BILL ON SECOND READING

HB 1407 (Pr. No. 1697)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

HB 1414—Without objection, the bill was passed over in its order at the request of Mr. PECHAN.

HB 1447 and 1460—Without objection, the bills were passed over in their order at the request of Mr. LANE.

BILLS ON FIRST READING

Mr. LANE. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. DEVLIN. Mr. President, I second the motion.

The motion was agreed to.

The bills were as follows:

SB 129, 131, 225, 238, 477, 644, 716, 789, HB 58, 59, 722, 754, 755, 880, 1212 and 1468.

And said bills having been read at length for the first time,

Ordered, To be laid aside for second reading.

RECONSIDERATION OF HB 227

Mr. WEINER. Mr. President, I move that the Senate do now reconsider the vote by which House Bill No. 227, Printer's No. 2302, failed of final passage on June 14, 1961.

The PRESIDING OFFICER. How did the Senator vote?

Mr. WEINER. Mr. President, I voted with the prevailing side.

Mr. LANE. Mr. President, I second the motion.

The PRESIDING OFFICER. How did the Senator vote?

Mr. LANE. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. WEINER. Mr. President, I request that House Bill No. 227, appear on Monday's Final Passage Calendar.

The PRESIDING OFFICER. There being no objection, House Bill No. 227 will appear on Monday's Final Passage Calendar.

REGULAR ORDER OF BUSINESS RESUMED

The PRESIDING OFFICER. Consideration of the Calendar being completed, we will now revert to the regular order of business.

BILLS INTRODUCED AND REFERRED

Messrs. DEVLIN, STAISEY, CAMIEL and VAN SANT, presented to the Chair **SB 798**, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," by creating the State Board of Examiners of Radio and Television Service Technicians as a departmental administrative board in the Department of Public Instruction and prescribing its powers and duties.

Which was committed to the Committee on State Government.

They also presented to the Chair **SB 799**, entitled:

An Act relating to the servicing of radio sets, television receiving sets and electronic apparatus and combinations thereof used by the general public; providing for the licensing and registration of persons, firms and corporations engaged in such service and for the revocation and suspension of such licenses and registrations subject to appeal and for their reinstatement; defining the powers and duties of the State Board of Examiners of Radio and Television Service Technicians and the Department of Public Instruction and providing penalties.

Which was committed to the Committee on State Government.

REPORT OF COMMITTEE OF CONFERENCE SUBMITTED

Mr. KALMAN submitted the Report of Committee of Conference on House Bill No. 678, which was laid over for printing under the rules.

EXECUTIVE NOMINATIONS

EXECUTIVE SESSION

A motion was made by Mr. DEVLIN, and Mr. LANE, That the Senate do now resolve itself into Executive Session for the purpose of considering certain nominations made by the Governor.

Which was agreed to.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. DEVLIN asked and obtained unanimous consent for immediate consideration of the nominations made by His Excellency, the Governor, and reported from committee at today's Session.

NOMINATIONS TAKEN FROM THE TABLE

Mr. DEVLIN. Mr. President, I call from the table for consideration the nominations reported from committee today.

The PRESIDING OFFICER. The Clerk will read the nominations.

The nominations were read by the Clerk as follows:

MEMBERS OF THE BOARD OF TRUSTEES OF CLARION STATE COLLEGE

June 13, 1961

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Board of Trustees of Clarion State College, until the third Tuesday of January 1967, and until their successors shall have been appointed and qualified:

Charles W. Dinger, 506 Grant Street, Reynoldsville, Jefferson County, vice John H. Huges, Brookville, whose term expired.

Keva H. L. Miller, 304 Orange Street, Oil City, Venango County. (Reappointment)

DAVID L. LAWRENCE

MEMBERS OF THE BOARD OF TRUSTEES OF FARVIEW STATE HOSPITAL

June 12, 1961

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Farview State Hospital:

Frank Zazzera, 70 North Church Street, Carbondale, Lackawanna County, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

Eugene A. Colleran, 1010 Moosic Street, Jessup, Lackawanna County, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

Stephen Kiehart, 213 South Main Street, Mayfield, Lackawanna County, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

Carl Franceski, 1147 North Main Street, Forest City, Susquehanna County, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

James A. Moore, 132 Seventh Avenue, Carbondale, Lackawanna County, until the third Tuesday of January 1967, and until his successor is appointed and qualified.

DAVID L. LAWRENCE

MEMBERS OF THE BOARD OF TRUSTEES OF PHILIPSBURG STATE HOSPITAL

June 19, 1961

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Philipsburg State Hospital:

D. S. Braucht, Coalport, Clearfield County, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

Fred B. Hughes, 509 West Market Street, Clearfield, Clearfield County, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

DAVID L. LAWRENCE

JUSTICE OF THE PEACE

June 12, 1961

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate James C. Patton, Jr., Schenck Street, Noxen, Wyoming County, for appointment as Justice of the Peace in and for the Township of Noxen, Wyoming County, until the first Monday of January 1962, vice Mrs. Albino Simon, resigned.

DAVID L. LAWRENCE

MEMBER OF THE NORTHAMPTON COUNTY BOARD OF ASSISTANCE

June 19, 1961

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Miss Beatrice Buckley (Democrat), 4550 Bayard Street, Easton, Northampton County, for appointment as a mem-

ber of the Northampton County Board of Assistance, until December 31, 1961, and until her successor is duly appointed and qualified, vice Mrs. Francis W. Barthold, Bethlehem, resigned.

DAVID L. LAWRENCE

On the question,

Will the Senate advise and consent to the nominations?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Probert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarraf,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. DEVLIN. Mr. President, I move that the Executive Session do now rise.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

PETITIONS AND REMONSTRANCES

Mr. VAN SANT. Mr. President, it has been long my contention that our so-called reciprocity agreement with the State of New Jersey has created a terrible hardship on the Pennsylvania motorist, largely due to the fact that the State of New Jersey establishes radar arrest-fining mills on the thoroughfares leading from Pennsylvania to the shore resorts and to the city of New York. This so-called reciprocity agreement has been in effect for several months now, while many phases of the so-called reciprocity agreement have been working out advantageously to both States, there are still certain phases of that agreement which I object to very strenuously.

It has been my contention that the radar arrests in New Jersey are causing the loss of licenses here in Pennsylvania unjustly. At a recent meeting with Mr. Shipley, our Director of Highway Safety; Senator Rooney, the Chairman of the Senate Highways Committee; and Mr. John Simonetta, an enforcement officer in the Bureau of Highway Safety, Colonel Rucker, Commissioner of the New Jersey State Police, assured me, as did Ned J. Parsekian, Head of the Department of Highway Safety, there was no discrimination against Pennsylvania motorists. They also said there was no intent on the part of the New Jersey State Police to arrest, but rather to be there to create safety.

I have in my possession today, a letter which would give an opposite thought to the statements of Mr. Parsekian and the State Police Commissioner of New Jersey. The following letter is from the Municipal Court of Union Township, in Clinton, New Jersey. It is addressed to the

Union Township Committee and is written by the Magistrate, Bruce D. Herrigel. The letter reads as follows:

"Gentlemen:

"At the last meeting of the Township Committee, I requested that an ordinance be passed authorizing a salary of \$1,200.00 a year for a municipal court clerk for this township, for the reason that the volume of the court work warranted such a salary. Pursuant to that request, you passed on first reading an ordinance authorizing the requested salary.

"The records for the month of May are nearly complete and indicate that costs in the amount of \$395.00 have been collected by the Municipal Court. The State Police have arranged to set up radar on our highways on June 18 and June 25, and the court date for those operations will be June 26. The State Police have completed their schedule through the month of July, and have arranged to set up radar on our highways on July 2, 7, 17 and 24. We have arranged for a radar night for that month on July 31.

"This radar schedule has been worked out between this court and the State Police on the assumption that we will have the personnel to administer the program. The State Police are anxious to operate the radar in Union Township in a manner similar to the July schedule.

"I therefore urge upon you the passage of this ordinance, in order to enable us to carry out the program planned."

This letter is signed by Bruce D. Herrigel, Magistrate of Municipal Court of Union Township.

Mr. President, this letter certainly implies that they plan to do a lot of business on Route 22, in Union Township, New Jersey, on the aforementioned dates, because they are asking for an increase in salary for the clerk and they are assuming there will be many arrests made. It is my belief that this is not being set up in order to create highway safety but it is being set up as a fining mill, which I have contended New Jersey runs discriminately against Pennsylvania motorists, particularly those who live in the eastern part of the Commonwealth.

I have another letter from J. Robert Proctor, Executive Director of the York-Jersey Committee, dedicated to serving the people's right. This is a road group. I would like to quote the following from that letter:

"Please note paragraph (2), lines (4) and (7) of the attached letter: 'radar on our highways.' There are no other highways in Union Township except State Route #22 where the State Police could set up a radar trap for unwary out-of-area, out-of-State motorists, unless they desired to trap their own township taxpayers on some few third class rural roads which would be very unlikely in view of the anticipatory statement."

Mr. President, I am taking the floor of the Senate primarily to call to the attention of the motorists those dates when the radar will be operating, July 2, 7, 17 and 24, and also on June 25. The June 18 date is passed and, of course, I imagine they are very busy now assembling the court for June 26 and also on the night of July 31.

Gentlemen, I do not know how many of you are familiar with it, but if you are going sixty-one miles an hour on a New Jersey road,—many of which are far superior to some of our highways in Pennsylvania which have a sixty-mile speed limit—you lose your license because you are going eleven miles over the speed limit. The Bureau of Highway Safety has many, many cases on the docket

wherein they are revoking licenses. It is my contention that sixty-one miles an hour is going over our speed limit by only one mile per hour. Yet, in the State of New Jersey, they arrest you when you go over fifty miles an hour.

Therefore, Mr. President, it is my contention and my belief that we should not take away Pennsylvania drivers' licenses when we have such existing things as this radar trap, which is anticipated in Union Township, operating with wholesale arrests and stopping as many as eight, ten and twelve Pennsylvanians at one time and arresting them. It is my belief that we should not recognize this phase of our agreement with the State of New Jersey until such time as we have equal speed limits or until such time when they agree to give us a tolerance of the ten mile difference between Pennsylvania and New Jersey. This type of thing has been going on for years and I sincerely hope that we, in the Commonwealth, will see fit to terminate this portion of our agreement. Pennsylvania motorists and truck drivers are losing their livelihood daily because of these terrible speed traps in our neighboring State.

Mr. LANE. Mr. President, I desire to interrogate the gentleman from Lehigh, Senator Van Sant.

The PRESIDING OFFICER. Will the gentleman from Lehigh, Mr. Van Sant, permit himself to be interrogated?

Mr. VAN SANT. I will, Mr. President.

Mr. LANE. Senator Van Sant, I believe you made a statement that the Magistrate stated they had collected \$395 in costs for the month of May. Is that correct?

Mr. VAN SANT. That is correct, sir.

Mr. LANE. Do you know what the cost is on an individual case in the State of New Jersey?

Mr. VAN SANT. I believe it is very similar to what it is here in Pennsylvania. On a speeding arrest, it amounts to about five dollars.

Mr. LANE. You stated that this Magistrate requested an allocation of \$1,200. Is that on a monthly basis?

Mr. VAN SANT. That is \$1,200 for a year for the Municipal Court Clerk.

Mr. LANE. That is an additional clerk. In other words, this municipal clerk is going to receive a salary of \$100 per month. Is that correct?

Mr. VAN SANT. That is correct.

Mr. LANE. Have you supplied the Bureau of Highway Safety with a copy of the letter which you read into the record today?

Mr. VAN SANT. As of now, I have not. However, it is my intention to do so. I just received this letter this morning.

Mr. LANE. Senator Van Sant, I would like very much to know the outcome of this. I, too, am not in favor of any radar speed traps. I do not feel the motorists of Pennsylvania should be penalized by the operation of speed traps in any surrounding State. I will be very happy to take this matter up with the Bureau of Highway Safety at your convenience.

Mr. VAN SANT. Thank you.

NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as

follows, and referred to the Committee on Executive Nominations:

MEMBERS OF THE BOARD OF TRUSTEES OF
PENNSYLVANIA STATE ORAL SCHOOL
FOR THE DEAF

June 21, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of the Pennsylvania State Oral School for the Deaf, until the third Tuesday of January 1967, and until their successors are appointed and qualified:

Edward Popil, 237 North Cameron Avenue, Scranton, Lackawanna County.

Joseph P. Reilly, 1720 Quincy Avenue, Dunmore, Lackawanna County.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

June 21, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Grace E. Ellicott, 118 North Twelfth Street, Connellsville, Fayette County, for appointment as Justice of the Peace in and for the Township of Dunbar, Fayette County, to serve until the first Monday of January 1962, vice Merle J. Fair, resigned.

DAVID L. LAWRENCE.

REPORT FROM COMMITTEE

Mr. DEVLIN, by unanimous consent, from the Committee on Highways, reported, as committed, **HB 445**.

BILL ON FIRST READING

Mr. LANE. Mr. President, I move that the Senate do now proceed to the first reading of the bill just reported from committee for the first time at today's session.

Mr. SARRAF. Mr. President, I second the motion.

The motion was agreed to.

The bill was as follows:

HB 445.

And said bill having been read at length for the first time,

Ordered, To be laid aside for second reading.

GUESTS OF SENATOR FRED B. ROONEY AND
SENATOR JOHN T. VAN SANT PRESENTED TO
SENATE

Mr. ROONEY. Mr. President, Senator Van Sant and I want to call to the attention of the Chair that the Pioneer Girls from Bethlehem, Pennsylvania are with us today, headed by their leaders, Esther Transue and Esther Tress.

The PRESIDING OFFICER. Thank you, Senator Rooney and Senator Van Sant, for calling this group to our attention. Will the group please rise?

Thank you for being with us. We are sorry that we are about to adjourn. Otherwise, you could see your government in operation.

ANNOUNCEMENTS BY THE SECRETARY

The following announcements were read by the Secretary of the Senate:

COMMITTEE MEETING
MONDAY, JUNE 26, 1961

Eastern Daylight

Saving Time	COMMITTEE	Room
9:30 A. M.	JOINT SELECT COMMITTEE ON EDUCATION	245 (House Appropriations Committee Rooms)
	DEMOCRATIC CAUCUS	11:30 A. M., D. S. T.
	REPUBLICAN CAUCUS	11:00 A. M., D. S. T.

NOTICE

The Committee on Local Government will hold a Public Hearing Thursday, July 6, 1961 at 2:00 p. m., Daylight Saving Time, in the Democratic Caucus Room on House Bills 1221 and 1438.

ADJOURNMENT

Mr. LANE. Mr. President, I move that the Senate do now adjourn until Monday, June 26, 1961, at 12:00 m., Eastern Standard Time.

Mr. HALUSKA. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 12:16 p.m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

WEDNESDAY, June 21, 1961.

The House met at 11 a.m., e.s.t.

The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

O Thou great Omniscient Father of us all, in the complexity of our individual lives and the confusion of the world about us, we welcome the opportunity of pausing in this moment as we search for direction on life's pathway. We thank Thee for the privilege which is ours of looking to Thee with the assurance and confidence that Thou canst bring peace and order out of chaos. We humbly pray that as the Omnipotent Creator and Sustainer Thou wilt fulfill Thy desires through the dedication of our talents to Thee. In Jesus' name Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Tuesday, June 20, 1961, will be postponed until printed.

The Chair hears none.

AUXILIARY OF THE FORD CLIFF FIRE
DEPARTMENT OF ARMSTRONG COUNTY
WELCOMED

The SPEAKER. The Chair welcomes a group of ladies, members of the Auxiliary of the Ford Cliff Fire Department of Armstrong County. They are the guests of the gentlemen from Armstrong, the Messrs. Helm and Guthrie.

BILLS INTRODUCED AND REFERRED

By Mr. McCANN, Mrs. REIBMAN, Messrs. A. M. LEE and BUCHANAN. HOUSE BILL No. 1791.

An Act amending the "Civil Service Act" approved August 5, 1941 (P. L. 752), to bring the employes of the Department of Public Instruction under the legislative civil service.

Referred to the Committee on Rules.

By Mr. McCANN, Mrs. REIBMAN, Messrs. Gross and DONALDSON. HOUSE BILL No. 1792.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for the election of school directors in school districts of the second, third and fourth classes by nonpartisan ballots.

Referred to the Committee on Education.

By Messrs. POLASKI, SCHAAF, WALSH and J. A. SULLIVAN. HOUSE BILL No. 1793.

An Act reenacting and amending the act of May 21, 1943 (P. L. 340), entitled as amended, "An act empowering municipality authorities, cities of the third class, boroughs, incorporated towns and townships, adjoining each other * * *", extending the provisions of the act to counties and to local governmental units outside of the Commonwealth, changing procedure for agreements and contracts, and further regulating joint purchases.

Referred to the Committee on Rules.

By Mr. BRETH.

HOUSE BILL No. 1794.

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), making a corection for a typographical error.

Referred to the Committee on Rules.

By Messrs. DOUGHERTY, EILBERG, KORNICK and PETROSKY. HOUSE BILL No. 1795.

An Act amending the "State Employes' Retirement Code of 1959," approved June 1, 1959 (P. L. 392), authorizing certain annuitants to elect to become members of class D-1.

Referred to the Committee on Rules.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 667.

An Act creating and establishing a continuing career system for technical and professional personnel in or assigned to the Department of Highways establishing and vesting certain powers in the Highway Technical and Professional Personnel Board and making an appropriation.

Referred to the Committee on Rules.

SENATE BILL No. 736.

An Act regulating the procedure for petitioning a court to order a safety deposit box opened in furtherance of a criminal investigation or proceeding.

Referred to the Committee on Judiciary.

SENATE BILL No. 748.

An Act amending the act of July 15, 1957 (P. L. 901), entitled "Optional Third Class City Charter Law" making annual post audits optional.

Referred to the Committee on Cities—Third Class.

RESOLUTION INTRODUCED AND REFERRED

By Messrs. BUCHANAN and MURPHY.

(Concurrent) RESOLUTION No. 85.

In the House of Representatives, June 20, 1961.

Resolved (the Senate concurring), That the Joint State Government Commission be directed to study and investigate:

(1) A plan for the faculties at the State Colleges whereby they will be assured employment security despite academic or political beliefs, so long as they are consistent with American principles;

(2) A plan for determining academic rank for the faculty members at the State Colleges; and be it further

Resolved, That the Joint State Government Commission report to the next regular session of the General Assembly occurring in an odd numbered year, its findings and recommendations, with drafts of legislation necessary to carry the recommendation into effect.

Referred to the Committee on Rules.

SENATE MESSAGE

CONCURRENCE IN HOUSE RESOLUTION

The clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, June 19, 1961.

Resolved (if the Senate concur) that House bill No. 1186, printer's No. 1350, entitled "An act providing for the payment of the salary medical and hospital expenses of members of the State Police Force of the enforcement officers and investigators employed by the Pennsylvania Liquor Control Board and the parole agents enforcement officers and investigators of the Pennsylvania Board of Parole and of policemen firemen and park guards by the Commonwealth of Pennsylvania counties cities boroughs towns and townships who are injured in the performance of their duty and providing that absence during such injury shall not reduce any usual sick leave period," be recalled from the Governor for the purpose of amendment.

SENATE MESSAGE

CONCURRENCE IN HOUSE RESOLUTION

The clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, June 16, 1961.

Resolved (if the Senate concur) that House bill No. 937, printer's No. 1576, entitled "An act authorizing minor spouses to join their adult spouse in the conveyance or mortgaging of their real estate and to execute bonds or other obligations in connection therewith and validating such actions heretofore taken," be recalled from the Governor for the purpose of amendment.

REPORTS FROM COMMITTEE

Mr. GREENLEE from the Committee on Municipal Corporations, reported as amended, House bill No. 621, entitled:

An Act requiring a guard to be posted when a manhole is entered or when tests are being performed at a manhole and providing penalties.

Mr. LAWSON from the Committee on Motor Vehicles, reported as amended, House bill No. 971, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), limiting the prohibition against the penalty for speed contests and drag races and reducing penalties.

Mrs. S. A. ANDERSON from the Committee on Welfare, reported as amended, House bill No. 1595, entitled:

An Act amending the "Public Assistance Law," approved June 24, 1937 (P. L. 2051), further defining assistance to include certain dependent children and medical care for the aged and those persons eligible therefor; and prescribing procedures, requirements and penalties incidental thereto.

Mr. WELSH from the Committee on Workmen's Compensation, reported as amended, House bill No. 1622, entitled:

An Act amending "The Pennsylvania Workmen's Compensation Act," approved June 2, 1915 (P. L. 736), changing provisions relating to liability of employers and benefits and persons entitled thereto; regulating practice and procedure; changing subrogation rights; providing for attendance of witnesses; requiring payments into the Second Injury Reserve and Rehabilitation Fund.

Mr. STRAUSSER from the Committee on State Government, reported as amended, Senate bill No. 45, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," changing the number of copies of the State Manual to which members and officers of the General Assembly shall be entitled.

Mr. SHERMAN from the Committee on Banking and Building and Loan Associations, reported as amended, Senate bill No. 455, entitled:

An Act amending the act of May 5, 1933 (P. L. 457), entitled "Building and Loan Code," changing provisions governing the change of the place of business of a branch and changing provisions for the period of public notice for the discontinuance of a branch.

Mr. LAMB from the Committee on Judiciary, reported as amended, Senate bill No. 663, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code," prohibiting debt pooling business voiding contracts for debt pooling and providing penalties.

Mr. ESHLEMAN from the Committee on Education, reported as committed, House bill No. 301, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for separate computation of tuition for junior high school tuition pupils and senior high school tuition pupils at the request of the receiving district.

Mr. WILLAREDT from the Committee on Appropriations, re-reported as committed, House bill No. 670, entitled:

A Supplement to "The Pennsylvania Workmen's Compensation Act" approved June 2, 1915 (P. L. 736), providing for the payment of compensation to special school police appointed by boroughs or the dependents of such special school police.

Mr. MAY from the Committee on Municipal Corporations, reported as committed, House bill No. 1028, entitled:

An Act amending the act of June 1, 1956 (P. L. 1944), entitled "An act providing a permanent allocation of a part of the fuels and liquid fuels tax proceeds to cities, boroughs, incorporated towns and townships, for their road, street and bridge purposes; * * *", changing the formula used to determine the amount of payments to be made to the political subdivisions.

Mr. KELLY from the Committee on Motor Vehicles, reported as committed, House bill No. 1232, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), requiring the notice of conviction for violations in other states to contain a certified record of the conviction and requiring the same to be made available.

Mr. SIMMONS from the Committee on Professional Licensure, reported as committed, House bill No. 1307, entitled:

An Act amending the "Chiropody Act of 1956," approved March 2, 1956 (P. L. 1206), providing for biennial renewal of registration; changing fees and requiring attendance at biennial educational conferences as a condition of renewal of registration.

Mr. McKEEVER from the Committee on Workmen's Compensation, reported as committed, House bill No. 1440, entitled:

An Act amending "The Pennsylvania Workman's Compensation Act," approved June 2, 1915 (P. L. 736), requiring employers to furnish replacements for artificial limbs and eyes and to furnish additional medical care in connection therewith.

Mr. WOOD from the Committee on State Government, reported as committed, House bill No. 1492, entitled:

An Act amending the "State Public School Building Authority Act," approved July 5, 1947 (P. L. 1217), further regulating competition in award of contracts.

Mr. STRAUSSER from the Committee on State Government, reported as committed, House bill No. 1493, entitled:

An Act amending "The General State Authority Act of one thousand nine hundred forty-nine," approved March 31, 1949 (P. L. 372), further regulating competition in award of contracts.

Mr. MURRAY from the Committee on Elections, reported as committed, House bill No. 1616, entitled:

An Act amending "The Permanent Registration Act for Cities of the Second Class, Cities of the Second Class A, Cities of the Third Class, Boroughs, Towns and Townships," approved April 29, 1937 (P. L. 487), requiring that registration cards delivered to electors must be uniform.

Mr. IRVIS from the Committee on Workmen's Compensation, reported as committed, House bill No. 1621, entitled:

An Act amending the "Vocational Rehabilitation Act of one thousand nine hundred forty-five," approved May 22, 1945 (P. L. 849), authorizing certain persons injured by accidents incurred in the course of their employment or disabled by occupational disease.

Mr. ROVANSEK from the Committee on Workmen's Compensation, reported as committed, House bill No. 1638, entitled:

An Act amending "The Pennsylvania Occupational Disease Act," approved June 21, 1939 (P. L. 566), changing provisions relating to liability of employers and benefits and persons entitled thereto; regulating practice and procedure; changing subrogation rights; providing for attendance of witnesses and generally clarifying and changing the provisions of the act.

Mr. McCANN from the Committee on Rules, reported as committed, House bill No. 1652, entitled:

An Act amending the act of April 24, 1913 (P. L. 114), entitled "An act regulating the time of payment of wages and earnings, and providing a penalty for violation thereof," further regulating the time of payment of wages and earnings.

Mr. GIBB from the Committee on Cities—Counties Second and Second Class A, reported as committed, House bill No. 1666, entitled:

An Act amending "The Pennsylvania Registration Act for Cities of the Second Class, Cities of the Second Class A, Cities of the Third Class, Boroughs, Towns, and Townships," approved April 29, 1937 (P. L. 487), requiring the cancellation of registrations of persons reported dead.

Mr. WILLAREDT from the Committee on Appropriations, reported as committed, House bill No. 1727, entitled:

An Act amending the "Banking Code," approved May 15, 1933 (P. L. 624), increasing the unsecured amount a bank, bank and trust company or trust company may loan its salaried officers or employees or those of affiliated banking institutions.

Mr. SHERMAN from the Committee on Judiciary, reported as committed, House bill No. 1781, entitled:

An Act amending the act of July 31, 1941 (P. L. 605), entitled "An act relating to the summoning and service of jurors (except grand jurors) in the civil and criminal courts of the several counties of the Commonwealth, ex-

cept counties of the first and second class," extending the provisions to counties of the first class.

Mr. STIMMEL from the Committee on State Government, reported as committed, House bill No. 1746, entitled:

An Act constituting the Secretary of the Commonwealth as the agent for service of process on nonresident persons and foreign associations, partnerships and corporations whose products are listed and sold by Pennsylvania Liquor Stores and who sell malt and brewed beverages to distributors and importing distributors licensed and doing business in this Commonwealth.

Mr. McCANN from the Committee on Rules, reported as committed, House Resolution No. 50.

Mr. McCANN from the Committee on Rules, reported as committed, House Resolution No. 71.

Mr. McCANN from the Committee on Rules, reported as committed, House Resolution No. 84.

Mr. WILLAREDT from the Committee on Appropriations, re-reported as committed, House bill No. 1234, entitled:

An Act amending "The Pennsylvania Workmen's Compensation Act," approved June 2, 1915 (P. L. 736), increasing liability for burial costs.

Mr. HEFFNER from the Committee on Judiciary, re-reported as committed, House bill No. 1642, entitled:

An Act amending the "Municipal Unclaimed Moneys Act," approved May 17, 1949 (P. L. 1403), changing the disposition of such moneys.

Mrs. MUNLEY from the Committee on Appropriations, re-reported as committed, House bill No. 1683, entitled:

An Act creating the Second Injury Reserve and Rehabilitation Fund in the Department of Labor and Industry requiring payments by the State Workmen's Insurance Fund and certain insurance carriers * * * and prescribing limitations.

Mr. WOOD from the Committee on Appropriations, reported as committed, Senate bill No. 114, entitled:

An Act reenacting and amending section 13 and Article VII of Chapter II of the act of December 15, 1959 (P. L. 1779), entitled "The Fish Law of 1959," removing the requirement that fishermen be licensed in order to fish in certain regulated fishing lakes further regulating the issuance of permits or bills of sale for fish caught in such lakes changing penalties relating to such lakes and harmonizing language of existing law.

Mr. WILLAREDT from the Committee on Appropriations, reported as committed, Senate bill No. 133, entitled:

An Act amending the act of June 1, 1959 (P. L. 392), entitled "State Employees' Retirement Code of 1959" re-defining the words "final average salary" for retirement of officers and employees of the Pennsylvania State Police.

Mr. TAYLOR from the Committee on Motor Vehicles, reported as committed, Senate bill No. 191, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" including additional buses within the provisions relating to school buses further providing for the operation of school buses and lights located thereon and providing penalties.

Mr. PIPER from the Committee on Professional Licensure, reported as committed, Senate bill No. 219, entitled:

An Act amending the act of June 19, 1931 (P. L. 589), entitled as amended "Barbers License Law" altering the requirements for licensure regulating hours for barber schools permitting further regulation by health authorities providing for the health sanitation and management of barber shops changing fees prescribing penalties requiring reports and making an appropriation.

Mr. PRICE from the Committee on State Government, reported as committed, Senate bill No. 258, entitled:

An Act requiring the State Treasurer and other State officials to deduct the tax imposed by any first class city upon salaries wages and other compensation paid to officers and employes of the Commonwealth domiciled or performing services within that city and to make a return and remit the tax so deducted to the Revenue Commissioner of such city.

Mr. RENWICK from the Committee on Motor Vehicles, reported as committed, Senate bill No. 294, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" further providing for the lights and signals to be used in connection with certain vehicles and providing penalties.

Mr. BOSSERT from the Committee on Public Utilities and Corporations, re-reported as committed, Senate bill No. 401, entitled:

An Act amending the act of May 1, 1933 (P. L. 103), entitled "The Second Class Township Code" authorizing increase in the number of meetings for which supervisors may be paid without the prior approval of the auditors further providing for the attendance of supervisors or employes at road meetings and conventions imposing duties on township secretaries changing the time which may be expended by auditors in the completion of audits authorizing managers to attend meetings of county associations of township officers authorizing supervisors to exercise general powers further providing for the parties who may protest a change in zoning and providing for review of township ordinances and regulations adversely affecting public utility service.

Mrs. PASHLEY from the Committee on State Government, reported as committed, Senate bill No. 528, entitled:

An Act requiring funeral directors to notify the voters registration commission upon the burial of any person over twenty-one years of age and providing penalties.

Mr. J. H. GOLDSTEIN from the Committee on Banking and Building and Loan Associations reported as committed, Senate bill No. 555, entitled:

An Act amending the act of May 15, 1933 (P. L. 624), entitled as amended "Banking Code" further providing for the participation of loans between banking companies.

Mrs. S. A. ANDERSON from the Committee on Military Affairs, reported as committed, Senate bill No. 590, entitled:

An Act amending the act of June 1, 1959 (P. L. 392), entitled "State Employees Retirement Code of 1959" defining State employes to include certain civilian employes of the National Guard.

Mr. RENWICK from the Committee on State Government, reported as committed, Senate bill No. 636, entitled:

An Act amending the act of April 27, 1927 (P. L. 465), entitled as amended "Fire Safety Building Regulation Law" requiring that the location of fire extinguishers which are obscured from view be marked.

Mr. MANBECK from the Committee on Agriculture and Dairy Industries, reported as committed, Senate bill No. 639, entitled:

An Act limiting landowner's liability for personal injuries suffered by any persons while hunting or fishing upon or who has entered for his own purposes on the landowner's property.

Mr. HAMILTON from the Committee on Education, reported as committed, Senate bill No. 684, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" removing provisions relating to the districting of State colleges.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 301, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for separate computation of tuition for junior high school tuition pupils and senior high school tuition pupils at the request of the receiving district.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1028, entitled:

An Act amending the act of June 1, 1956 (P. L. 1944), entitled "An act providing a permanent allocation of a part of the fuels and liquid fuels tax proceeds to cities, boroughs, incorporated towns and townships, for their road, street and bridge purposes; ***," changing the formula used to determine the amount of payments to be made to the political subdivisions.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1232, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), requiring the notice of conviction for violations in other states to contain a certified record of the conviction and requiring the same to be made available.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1307, entitled:

An Act amending the "Chiroprody Act of 1956," approved March 2, 1956 (P. L. 1206), providing for biennial renewal of registration; changing fees and requiring attendance at biennial educational conferences as a condition of renewal of registration.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1440, entitled:

An Act amending "The Pennsylvania Workmen's Compensation Act," approved June 2, 1915 (P. L. 736), requiring employers to furnish replacements for artificial limbs and eyes and to furnish additional medical care in connection therewith.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1492, entitled:

An Act amending the "State Public School Building Authority Act," approved July 5, 1947 (P. L. 1217), further regulating competition in award of contracts.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1493, entitled:

An Act amending "The General State Authority Act of one thousand nine hundred forty-nine," approved March 31, 1949 (P. L. 372), further regulating competition in award of contracts.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1616, entitled:

An Act amending "The Permanent Registration Act for Cities of the Second Class, Cities of the Second Class A, Cities of the Third Class, Boroughs, Towns and Townships," approved April 29, 1937 (P. L. 487), requiring that registration cards delivered to electors must be uniform.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1621, entitled:

An Act amending the "Vocational Rehabilitation Act of one thousand nine hundred forty-five," approved May 22, 1945 (P. L. 849), authorizing certain persons injured by accidents incurred in the course of their employment or disabled by occupational disease.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1638, entitled:

An Act amending "The Pennsylvania Occupational Disease Act," approved June 21, 1939 (P. L. 566), changing provisions relating to liability of employers and benefits and persons entitled thereto; regulating practice and procedure; changing subrogation rights; providing for attendance of witnesses and generally clarifying and changing the provisions of the act.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1652, entitled:

An Act amending the act of April 24, 1913 (P. L. 114), entitled "An act regulating the time of payment of wages and earnings, and providing a penalty for violation thereof," further regulating the time of payment of wages and earnings.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1666, entitled:

An Act amending "The Permanent Registration Act for Cities of the Second Class, Cities of the Second Class A, Cities of the Third Class, Boroughs, Towns, and Townships," approved April 29, 1937 (P. L. 487), requiring the cancellation of registrations of persons reported dead.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1727, entitled:

An Act amending the "Banking Code" approved May 15, 1933 (P. L. 624), increasing the unsecured amount a bank, bank and trust company or trust company may loan its salaried officers or employees or those of affiliated banking institutions.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1781, entitled:

An Act amending the act of July 31, 1941 (P. L. 605), entitled "An act relating to the summoning and service of jurors (except grand jurors) in the civil and criminal courts of the several counties of the Commonwealth, except counties of the first and second class," extending the provisions to counties of the first class.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1746, entitled:

An Act constituting the Secretary of the Commonwealth as the agent for service of process on nonresident persons and foreign associations, partnerships and corporations whose products are listed and sold by Pennsylvania Liquor Stores and who sell malt and brewed beverages to distributors and importing distributors licensed and doing business in this Commonwealth.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 114, entitled:

An Act reenacting and amending section 13 and Article VII of Chapter II of the act of December 15, 1959 (P. L. 1779), entitled "The Fish Law of 1959" removing the requirement that fishermen be licensed in order to fish in certain regulated fishing lakes further regulating the issuance of permits or bills of sale for fish caught in such lakes changing penalties relating to such lakes and harmonizing language of existing law.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 133, entitled:

An Act amending the act of June 1, 1959 (P. L. 392), entitled "State Employees' Retirement Code of 1959" re-defining the words "final average salary" for retirement of officers and employees of the Pennsylvania State Police.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 191, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" including additional buses within the provisions relating to school buses further providing for the operation of school buses and lights located thereon and providing penalties.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 219, entitled:

An Act amending the act of June 19, 1931 (P. L. 589), entitled as amended "Barbers License Law" altering the requirements for licensure regulating hours for barber schools permitting further regulation by health authorities providing for the health sanitation and management of barber shops changing fees prescribing penalties requiring reports and making an appropriation.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 258, entitled:

An Act requiring the State Treasurer and other State officials to deduct the tax imposed by any first class city upon salaries wages and other compensation paid to officers and employees of the Commonwealth domiciled or performing services within that city and to make a return and remit the tax so deducted to the Revenue Commissioner of such city.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 294, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" further providing for the lights and signals to be used in connection with certain vehicles and providing penalties.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 528, entitled:

An Act requiring funeral directors to notify the voters registration commission upon the burial of any person over twenty-one years of age and providing penalties.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 555, entitled:

An Act amending the act of May 15, 1933 (P. L. 624), entitled as amended "Banking Code" further providing for the participation of loans between banking companies.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 590, entitled:

An Act amending the act of June 1, 1959 (P. L. 392), entitled "State Employees Retirement Code of 1959" defining State employees to include certain civilian employees of the National Guard.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 636, entitled:

An Act amending the act of April 27, 1927 (P. L. 465), entitled as amended "Fire Safety Building Regulation Law" requiring that the location of fire extinguishers which are obscured from view be marked.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 639, entitled:

An Act limiting landowner's liability for personal injuries suffered by any persons while hunting or fishing upon or who has entered for his own purposes on the landowner's property.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 684, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" removing provisions relating to the districting of State colleges.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

BILLS RE-REFERRED

Mr. FINEMAN from the Committee on State Government, returned with the recommendation that it be re-referred to the Committee on Judiciary, House bill No. 260, entitled:

An Act amending the act of July 20, 1917 (P. L. 1158), entitled "An act to fix, regulate, and establish the fees to be charged and received by constables in this Commonwealth," increasing the fees in certain cases.

The SPEAKER. The bill is re-referred to the Committee on Judiciary.

Mr. POLEN from the Committee on Appropriations, returned with the recommendation that it be re-referred to the Select Committee on Education, House bill No. 1073, entitled:

A Supplement to the act of April 1, 1863 (P. L. 213), entitled "An act to accept the grant of Public Lands, by

the United States, to the several states, for the endowment of Agricultural Colleges," making an appropriation for carrying the same into effect.

The SPEAKER. The bill is re-referred to the Select Committee on Education.

Mr. Polen from the Committee on Appropriations, returned with the recommendation that it be re-referred to the Select Committee on Education, House bill No. 352, entitled:

An Act amending the act of January 18, 1952 (P. L. 2111), entitled "An act to provide for minimum compensation and increments for administrators and members of the faculty of State Teachers Colleges * * *" increasing the minimum compensation and increments and changing conditions of payment.

The SPEAKER. The bill is re-referred to the Select Committee on Education.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 678

Mr. CROSSIN. Mr. Speaker, I present the report of the Committee of Conference on House bill No. 678.

The SPEAKER. The report will lie over for printing under the rules.

REPORT OF SELECT COMMITTEE TO STUDY ABOLITION OF CAPITAL PUNISHMENT PRESENTED

The SPEAKER. The Chair recognizes the gentleman from Luzerne, Mr. Musto.

Mr. MUSTO. Mr. Speaker, I am directed by the Select Committee to Study Abolition of Capital Punishment, appointed pursuant to Senate Concurrent Resolution, Serial No. 101, to submit its report and request that it be noted in the Journal of the House and be printed in full in the Appendix of the Journal.

Copies of this report have been furnished to the members of the House.

The SPEAKER. The report will be noted in the Journal and will be printed in full in the appendix.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1487, entitled:

An Act amending the "Real Estate Brokers License Act of one thousand nine hundred and twenty-nine" approved May 1, 1929 (P. L. 1216), changing the educational and training requirements for licensure changing the place of hearing specifying the nature and weight to be given to the report of a representative appointed by the Commission to hold hearings in connection with any of its disciplinary proceedings providing for the taking of testimony and bringing auctioneers within the provisions of the act.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1656, entitled:

A Supplement to the act of April 29, 1874 (P. L. 73), entitled "An act to provide for the incorporation and regulation of certain corporations" authorizing the incor-

poration of pipeline companies for the transportation and storage or distribution furnishing or supplying of a fluid substance known as coal slurry * * *.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 131, entitled:

An Act defining and relating to installment land contracts in cities of the first class and providing for and regulating the rights and obligations between parties to such contracts under certain terms and conditions.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1524, entitled:

An Act amending the "Nonprofit Corporation Law" approved May 5, 1933 (P. L. 289), making further provisions relating to nonprofit medical dental and osteopathic service corporations * * * so as to authorize the furnishing of chiropody services by doctors of chiropody.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1525, entitled:

An Act reenacting and amending the "Nonprofit Medical Dental and Osteopathic Service Corporation Act" approved June 27, 1939 (P. L. 1125), including in the plan chiropody services and defining "chiropody services" for the purposes of this act only.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1633, entitled:

An Act amending the act of August 10, 1951 (P. L. 1189), entitled as amended "An act regulating the appointment promotion suspension reduction removal and reinstatement of employees * * * in bureaus of police in cities of the second class * * *" changing the method of selection of courts of trial or inquiry.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Cities—Counties, Second Class and Second Class A.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1769, entitled:

An Act amending the compact contained in the act of June 5, 1937 (P. L. 1664), entitled "An act to ratify and adopt a compact or agreement negotiated by commissioners designated by the Governor of the Commonwealth of Pennsylvania and commissioners designated by the Governor of the State of Ohio * * *" ratifying a change in the compact designating the lake area on which motor boats may be operated and providing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 192, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" further providing for the placing of reflectors on vehicles and providing penalties.

The first section was read.

On the question,

Will the House agree to the section?

Mr. LEMPER offered the following amendments:

Amend Sec. 1 (Sec. 801), page 2, line 16 by inserting after "passenger": or suburban.

Amend Sec. 1 (Sec. 801), page 3, line 16 by striking out the brackets before and after "twenty-four (24)."

Amend Sec. 1 (Sec. 801), page 3, line 16 by striking out "twenty (20)."

Amend Sec. 1 (Sec. 801), page 4, lines 1 and 2 by striking out "twenty (20)" and inserting: twenty-four (24).

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 293, entitled:

An Act amending the act of May 15, 1874 (P. L. 186), entitled "An act declaring what offices are incompatible" making the offices of mayor controller and treasurer of third class cities and members of the legislature incompatible.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

BILL PASSED OVER

There being no objection,

Senate bill No. 298, printer's No. 314, was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 350, entitled:

An Act to create a regional agency by intergovernmental compact for the planning conservation utilization development management and control of the water and related natural resources of the Delaware River Basin for the improvement of navigation reduction of flood damage regulation of water quality control of pollution development of water supply hydroelectric energy fish and wildlife habitat and public recreational facilities and other purposes and defining the functions powers and duties of such agency.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 48.

An Act amending the act of April 27, 1927 (P. L. 414), entitled as amended "An act providing for a system of recording the identification of persons convicted of crime and fugitives from justice and habitual criminals * * *" making it unlawful to take the fingerprints or photographs of persons in custody who are charged with a violation of "The Vehicle Code" with certain exceptions.

HOUSE BILL No. 281.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), authorizing second class school districts to make additions and revisions to tax duplicates.

HOUSE BILL No. 659.

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), limiting the number of persons who may hunt deer in unison or as a party.

HOUSE BILL No. 742.

An Act amending the act of April 3, 1860 (P. L. 630), entitled "An act relative to Proceedings upon Mortgages and Recognizances" excluding counties of the first class from the provisions of the act.

HOUSE BILL No. 743.

An Act amending the act of April 25, 1850 (P. L. 569), entitled "An act relating to the bail of executrixes to partition in the orphans' court and common pleas to colored convicts in Philadelphia to the limitation of actions against corporations to actions enforcing the payment of ground rents * * *" excluding prothonotaries in counties of the first class from the provisions relating to the recording of certain accounts.

HOUSE BILL No. 844.

An Act amending the act of July 10, 1957 (P. L. 685), entitled "An act regulating the use of explosives in certain blasting operations requiring examination and licensing of certain explosives detonators and prescribing the fee thereof and conferring powers and imposing duties on the Department of Labor and Industry" increasing certain fees.

HOUSE BILL No. 1222.

An Act relating to bituminous coal mines amending revising consolidating and changing the laws relating thereto providing for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith * * *.

HOUSE BILL No. 1297.

An Act amending the act of December 20, 1933 (1933-34 P. L. 89), entitled "An act appropriating the moneys in The State Stores Fund" providing for additional kinds of insurance.

HOUSE BILL No. 1308.

An Act amending "The Fish Law of 1959" approved December 15, 1959 (P. L. 1779), requiring the fishing license to be displayed on an outer garment while fishing.

With the information that the Senate has passed the same without amendment.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Tompkins for Mr. ODORISIO for the remainder of the week.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1476, entitled:

An Act amending the "State Public School Building Authority Act" approved July 5, 1947 (P. L. 1217), authorizing the Authority to convey projects to school districts when all bonded indebtedness and other obligations incurred in the financing of such projects have been finally paid and discharged.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Adams,	Fry,	Kramer,	Riley,
Anderson, J. H.,	Fulmer,	Lamb,	Rovanse,
Anderson, S. A.,	Gailey,	Lawson,	Royer,
Arlene,	Gallagher,	Lee, A. M.,	Rubin,
Ashton,	Gelfand,	Lee, K. B.,	Rudisill,
Auker,	George,	Leonard,	Rutherford,
Bachman,	Gibb,	Lippincott,	Sakulsky,
Backenstoe,	Gibbons,	Long, Wm. Jas.,	Scarcelli,
Blair,	Goldstein, J. H.,	Long, Wm. Jos.,	Schaaf,
Boles,	Goldstein, M. H.,	Lutty,	Seltzer,
Bonner,	Goodrich,	Magee,	Shelton,
Bossert,	Gramlich,	Manbeck,	Sherman,
Bower,	Gray,	Markley,	Shupnik,
Bowman,	Greenlee,	Marsh,	Simmons,
Branca,	Gremmlinger,	Maxwell,	Slack,
Buchanan,	Gross,	May,	Snare,
Bush,	Guesman,	McCandless,	Stank,
Capano,	Guthrie,	McCann,	Steckel,
Capitolo,	Hamilton,	McCormack,	Stimmel,
Cauley,	Hankins,	McDevitt,	Stiteler,
Cianfrani,	Hartley,	McDonald,	Stone,
Cioffi,	Haudenschild,	McInroy,	Strausser,
Clarke,	Heavey,	McKeever,	Sullivan, J. A.,
Comer,	Heffner,	McLaughlin,	Sullivan, T. F.,
Cooley,	Helm,	Meholchick,	Taylor,
Crossin,	Henzel,	Merry,	Thompson,
Curwood,	Hocker,	Miller,	Tomascik,
Davis,	Holl,	Mills,	Tompkins,
Dengler,	Holliday,	Monroe,	Truslo,
Dennison,	Holman,	Morley,	Ujobai,
Donaldson,	Horst,	Munley,	Varner,
Dougherty,	Irvis,	Murphy,	Verona,
Doughten,	Isaacs,	Murray,	Wall,
Down,	Jenkins,	Musto,	Walsh,
Edwards,	Jim,	Needham,	Wargo,
Eilberg,	Johnson, A. W.,	O'Dell,	Weldner,
Elvey,	Johnson, R. P.,	O'Donnell, J. A.,	Welsh,
Eshback,	Jones,	Ogilvie,	Wescott,
Eshleman,	Kamyk,	Parlante,	Whittaker,
Esler,	Keiser,	Pashley,	Willaredt,
Ewing,	Kelly,	Petrosky,	Williams, A. D.,
Farabaugh,	Kernaghan,	Piper,	Williams, E. S.,
Fetterolf,	Kessler,	Polaski,	Wilt,
Filo,	King,	Polen,	Wood,
Fineman,	Kistler,	Prendergast,	Worley,
Flynn,	Klein,	Price,	Wynd,
Foerster,	Knecht,	Pursley,	Yetter,
Foor,	Kooker,	Reibman,	Zember,
Fox,	Kornick,	Reidenbach,	Zimmerman,
Frascella,	Korns,	Renwick,	Andrews,

Speaker

NAYS—0

NOT VOTING—10

Breth,
Limper,
McNally,

Mihm,
Mullen,
O'Donnell, J. P.,

Odorisio,
Perry,

Schuster,
Willard,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1486, entitled:

An Act amending the act of July 8, 1947 (P. L. 1428), entitled "An act defining and providing for the licensing and regulation of private business schools and classes and agents thereof conferring powers and imposing duties upon the State Board of Private Business Schools and prescribing penalties" to exempt from its regulatory scope any real estate school approved by the State Real Estate Commission under the Real Estate Brokers Act.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—198

Adams,	Fulmer,	Lawson,	Renwick,
Anderson, J. H.,	Gailey,	Lee, A. M.,	Riley,
Anderson, S. A.,	Gallagher,	Lee, K. B.,	Rovanse,
Arlene,	Gelfand,	Leonard,	Royer,
Ashton,	George,	Limper,	Rubin,
Auker,	Gibb,	Lippincott,	Rudisill,
Bachman,	Gibbons,	Long, Wm. Jas.,	Rutherford,
Backenstoe,	Goldstein, J. H.,	Long, Wm. Jos.,	Scarcelli,
Blair,	Goldstein, M. H.,	Lutty,	Schaaf,
Boles,	Goodrich,	Magee,	Shelton,
Bonner,	Gramlich,	Manbeck,	Sherman,
Bossert,	Gray,	Markley,	Shupnik,
Bower,	Greenlee,	Marsh,	Simmons,
Bowman,	Gremmlinger,	Maxwell,	Slack,
Branca,	Gross,	May,	Snare,
Buchanan,	Guesman,	McCandless,	Stank,
Bush,	Guthrie,	McCann,	Steckel,
Capano,	Hamilton,	McDevitt,	Stimmel,
Capitolo,	Hankins,	McDonald,	Stiteler,
Cauley,	Hartley,	McInroy,	Stone,
Cianfrani,	Haudenschild,	McKeever,	Strausser,
Cioffi,	Heavey,	McLaughlin,	Sullivan, J. A.,
Clarke,	Heffner,	McNally,	Sullivan, T. F.,
Comer,	Helm,	Meholchick,	Taylor,
Cooley,	Henzel,	Merry,	Thompson,
Crossin,	Hocker,	Miller,	Tompkins,
Curwood,	Holl,	Mills,	Truslo,
Davis,	Holliday,	Monroe,	Ujobai,
Dengler,	Holman,	Morley,	Varner,
Dennison,	Horst,	Mullen,	Verona,
Donaldson,	Irvis,	Munley,	Wall,
Dougherty,	Isaacs,	Murphy,	Walsh,
Doughten,	Jenkins,	Murray,	Wargo,
Down,	Jim,	Musto,	Weldner,
Edwards,	Johnson, A. W.,	Needham,	Welsh,
Eilberg,	Johnson, R. P.,	O'Dell,	Wescott,
Elvey,	Jones,	O'Donnell, J. A.,	Whittaker,
Eshback,	Kamyk,	Ogilvie,	Willaredt,
Eshleman,	Keiser,	Parlante,	Williams, A. D.,
Esler,	Kernaghan,	Pashley,	Williams, E. S.,
Ewing,	Kessler,	Petrosky,	Wilt,
Farabaugh,	King,	Piper,	Wood,
Fetterolf,	Kistler,	Polaski,	Worley,
Filo,	Klein,	Polen,	Wynd,
Flynn,	Knecht,	Prendergast,	Yetter,
Foerster,	Kooker,	Price,	Zember,
Foor,	Kornick,	Pursley,	Zimmerman,
Fox,	Korns,	Reibman,	Andrews,
Frascella,	Kramer,	Reidenbach,	
Fry,	Lamb,		

Speaker

NAYS—0

NOT VOTING—12

Breth, Fineman, Kelly,	McCormack, Mihm, O'Donnell, J. P.,	Odorisio, Perry, Schuster,	Seltzer, Tomascik, Willard,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1506, entitled:

An Act amending the act of June 21, 1939 (P. L. 626), entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class * * *" further regulating the assessment of property or subjects of taxation previously omitted from assessment and the payment of taxes thereon.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—193

Adams, Anderson, J. H., Anderson, S. A., Arlene, Ashton, Auker, Bachman, Backenstoe, Blair, Boles, Bonner, Bossert, Bower, Bowman, Branca, Buchanan, Bush, Capano, Capitolo, Cauley, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dengler, Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Elvey, Eshback, Eshleman, Esler, Ewing, Farabaugh, Fetterolf, Filo, Flynn, Forester, Foor, Fox, Frascella, Fry, Fulmer,	Galley, Gallagher, Gelfand, George, Gibb, Gibbons, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Gray, Greenlee, Gremminger, Gross, Guesman, Guthrie, Hamilton, Hankins, Hartley, Haudenshield, Heavey, Heffner, Helm, Henzel, Hocker, Holliday, Holman, Horst, Irvis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Keiser, Kelly, Kessler, King, Kistler, Klein, Knecht, Kooker, Kornick, Korns, Kramer, Lamb,	Lawson, Lee, A. M., Lee, K. B., Limper, Long, Wm. Jas., Long, Wm. Jos., Lutty, Magee, Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McCormack, McDevitt, McDonald, McInroy, McKeever, McLaughlin, Meholchick, Merry, Miller, Mills, Monroe, Morley, Mullen, Munley, Murphy, Murray, Musto, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Ogilvie, Parlante, Pashley, Petrosky, Piper, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick,	Riley, Rovanseck, Royer, Rubin, Rudisill, Rutherford, Sakulsky, Scarcelli, Schaaf, Seltzer, Shelton, Shupnik, Simmons, Slack, Snare, Stank, Steckel, Stimmel, Stiteler, Strausser, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomascik, Tompkins, Trusio, Ujobal, Varner, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Whittaker, Willaredt, Williams, A. D., Williams, E. S., Wilt, Wood, Worley, Wynd, Yetter, Zember, Zimmerman, Andrews,
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Speaker

NAYS—1

NOT VOTING—16

Lippincott, Breth, Cianfrani, Eilberg, Fineman,	Holl, Kernaghan, Leonard, McNally,	Mihm, Odorisio, Perry, Polaski,	Schuster, Sherman, Stone, Willard,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1509, entitled:

An Act amending the act of May 29, 1917 (P. L. 322), entitled as amended "An act to give protection and to regulate the catching or taking or having in possession within this Commonwealth of any turtles frogs and tadpoles * * *" excepting snapping turtles from the limitation upon the number of turtles which may be caught taken or killed in any one day.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—192

Adams, Anderson, J. H., Anderson, S. A., Arlene, Ashton, Auker, Bachman, Backenstoe, Blair, Boles, Bonner, Bossert, Bowman, Branca, Buchanan, Bush, Capano, Capitolo, Cauley, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dengler, Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Eilberg, Elvey, Eshback, Eshleman, Esler, Ewing, Farabaugh, Fetterolf, Filo, Flynn, Forester, Foor, Fox, Frascella, Fry,	Fulmer, Galley, Gallagher, Gelfand, George, Gibb, Gibbons, Goldstein, J. H., Goldstein, M. H., Gramlich, Gray, Greenlee, Gremminger, Gross, Guesman, Guthrie, Hamilton, Hankins, Hartley, Haudenshield, Heavey, Heffner, Helm, Henzel, Hocker, Holliday, Holman, Horst, Irvis, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Keiser, Kelly, Kernaghan, Kessler, King, Kistler, Klein, Knecht, Kooker, Kornick, Korns, Kramer, Lamb,	Lawson, Lee, A. M., Lee, K. B., Limper, Lippincott, Long, Wm. Jas., Long, Wm. Jos., Lutty, Magee, Markley, Marsh, Maxwell, May, McCandless, McCann, McCormack, McDevitt, McDonald, McInroy, McKeever, McLaughlin, McNally, Meholchick, Merry, Miller, Mills, Monroe, Morley, Mullen, Munley, Murray, Musto, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Ogilvie, Parlante, Pashley, Petrosky, Piper, Polaski, Polen, Prendergast, Price, Reibman, Reidenbach, Renwick,	Riley, Rovanseck, Royer, Rubin, Rudisill, Rutherford, Sakulsky, Scarcelli, Schaaf, Seltzer, Shelton, Shupnik, Simmons, Slack, Snare, Stank, Steckel, Stimmel, Stiteler, Strausser, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomascik, Tompkins, Trusio, Ujobal, Varner, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Whittaker, Willaredt, Williams, A. D., Williams, E. S., Wilt, Wood, Worley, Wynd, Yetter, Zember, Zimmerman, Andrews,
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Speaker

NAYS—8

Bower,	Isaacs,	Murphy,	Strausser,
Goodrich,	Manbeck,	Pursley,	Wescott,

NOT VOTING—10

Breth,	Holl,	Odorisio,	Schuster,
Cianfrani,	Leonard,	Perry,	Willard,
Fineman,	Mihm,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1504, entitled:

An Act amending the "Pennsylvania Election Code" approved June 2, 1937 (P. L. 1333), further regulating the time in which the court of quarter sessions shall appoint election officers of newly created election districts.

On the question,

Will the House agree to the bill on third reading?

Mr. A. M. LEE asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the clerk for information.

Amend Title, page 2, line 1, by inserting after "elections" changing residence requirements for watchers.

Amend Bill, page 2, by inserting between the enacting clause and line 1:

Section 1. Subsection (b) of section 417, act of June 3, 1937 (P. L. 1333), known as the "Pennsylvania Election Code," is amended to read:

Section 417. Appointment of Watchers.—

* * *

(b) All watchers so appointed must be qualified registered electors of the [district] municipality or township in which they are authorized to act. Only one watcher for each candidate at primaries, or for each party or political body at general, municipal or special elections, shall be allowed to remain in the polling place at any one time prior to the close of the polls, and all watchers in the room shall remain outside the enclosed space. After the close of the polls and while the ballots are being counted or voting machines canvassed, all the watchers shall be permitted to be in the polling place outside the enclosed space. Each watcher shall be provided with a certificate from the county board of elections, stating his name and the name of the candidate, party or political body he represents. Watchers shall be required to show their certificates when requested to do so. Watchers allowed in the polling place under the provisions of this act, shall be permitted to keep a list of voters and shall be entitled to challenge any person making application to vote and to require proof of his qualifications as provided by this act.

* * *

Amend Sec. 1, page 2, line 1, by striking out "1" and inserting: 2

Amend Sec. 1, page 2, lines 1 and 2, by striking out "act of June 3 1937 (P L 1333) known as the "Pennsylvania Election Code" and inserting: of the act

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Lee.

Mr. A. M. LEE. Mr. Speaker, these amendments would change section 417 of the Election Code. That section presently requires that watchers in connection with elections must be residents of the district, that is, the voting precinct, in which they are to serve. These amendments would change that restrictive residence requirement and merely require that they be residents of the municipality or the township in which they desire to act as watchers. That is the substance of these amendments.

An awful lot has been written about the subject of watchers. I have before me the report by the special Senate investigating committee of the last session which investigated the allegation of vote frauds in the city of Philadelphia. I have the report to Attorney General Anne X. Alpern by Victor Wright, who is chief of the investigations division of the justice department. I also have a memorandum by the Citizens' Charter Committee which was furnished to the special committee. I also have the material from the ADA in the city of Philadelphia, and all these agencies are in agreement that the restrictive requirements, as far as the residence of watchers, is a contributing factor as far as election frauds are concerned. So I think the amendments are easily understood. They do not change, in any way, the present method of the appointment of watchers; they only make eligible people in the municipality or township, whereas they are now restricted to the division or the district in which they are to act.

I think if anyone is interested in clean elections, they should take the advice of all these rather imposing groups and adopt these amendments.

Mr. Speaker, I move the adoption of these amendments.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Eilberg.

Mr. EILBERG. I rise to oppose these amendments and call to the attention of the House that this is not merely a matter which concerns Philadelphia but is statewide in its operations.

There are many good reasons why the amendments are not desirable. I would suggest that persons who become watchers in districts other than where they reside might themselves be deprived of their opportunity to vote.

Mr. Speaker, one of the most compelling reasons against the amendments is due to the very nature of the watcher. A watcher presently must live in the district where he is a watcher. He knows or is in a position to know and ought to know all the residents in that particular election district, and he can do an effective job. If you bring someone in from outside that election district, I ask you how the watcher can do an effective job because the chances are he does not know anyone in that particular district in which he is a watcher.

Mr. Speaker, during the recent special election in Philadelphia there were some comments indicating there was a mail check and that a lot of the mail to registered voters was returned, presumably indicating that persons did not live at the addresses indicated.

Mr. Speaker, it is a matter of record and can easily be determined that there is an extraordinary substitute ratio in the post office. Many of these people simply do not do their jobs. As a result mail is not delivered.

Now let us visualize the situation as being someone perhaps from one of the low economic classes coming to the polls and being challenged. Let us take Philadelphia.

He is challenged because someone says he does not live where he knows that he lives. He has been reading a lot of things in the newspapers and he is not going to sign anything. He is not going to sign any challenge affidavit. And I say, Mr. Speaker, that many people in these low economic classes will be intimidated and will not vote; they will be denied their right to vote.

Mr. Speaker, I ask you further, someone, a watcher, presumably a watcher with a certificate, comes to an election district, no one knows him there, the election bureau does not know him, how do we know that this person has been duly authorized by the county board of elections to be a watcher? We think there would be ample opportunity for fraud to bring people in from the outside.

One thing that also concerns us is this, just what kind of people will these watchers from outside be? Would they be fingerprint detectives, would they be anti-labor, would they be hired thugs, would they be ghost squads? The idea of bringing people in from the outside is absolutely reprehensible because we do not know what kind of lawless element or motivation might be involved.

I say further, Mr. Speaker, that the introduction of these amendments by my colleague from Philadelphia comes to me as somewhat of a surprise because I have in my hand a clipping from the Sunday Bulletin of June 4, which indicates that the minority floor leader would introduce these amendments. Now I am a bit confused. I do not know whether it is the Republican State Committee that is offering these, or the Republican Alliance, or the regular Republican organization of Philadelphia.

Mr. Speaker, it is important that we examine the motives involved. I say the amendments are no good and should be voted down.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Lee.

Mr. A. M. LEE. Mr. Speaker, I can set the gentleman's mind at ease as to who is offering these amendments. I am. It is my right as a member of the House to offer them and I am offering them. And that is all there is to it. There are no motives of any kind behind these except the implementation of recommendations by recognized citizen agencies, and these amendments will go a long way toward bringing about clean, honest elections, which is something that we are all interested in.

I would like to say in reply to some of the things that the gentleman from Philadelphia said that, first, they are certainly statewide amendments, statewide in effect, because the Constitution of Pennsylvania requires that the laws regulating the conduct of elections must be uniform throughout the Commonwealth. The second thing is, he makes a lot of to-do about watchers coming from outside the election district and being in the polls and not knowing the people. Well, the difficulty that we have in these areas is that within the division it is impossible to get someone who is reliable to act as a watcher. Now certainly the best thing in the world would be to have a watcher who knows who the people are, but if we cannot have that, we want somebody in the polling place who knows the election code and can recognize illegal assistance and other violations of the election code, because he does not have to know the actors to know when the election code is being violated. And that is the pur-

pose for having these people in the polling place during election.

Now he raises the other question about how are we going to know whether they are authorized to act. Well, in Philadelphia, every watcher is issued a certificate under the seal of the county commissioners, so that if any of these people are appointed who come from outside the election district, they should be armed with that certificate. And I can say that if people come into my polling place and they do not have the certificate, I ask them to leave. And that is the situation that would obtain if these amendments are adopted.

Mr. Speaker, it is a very simple issue. You are either interested in clean, honest elections or you are not. If you are, you will vote for these amendments. And I ask for a roll call on the amendments.

The SPEAKER. The Chair recognizes the majority leader. Does he desire to yield to the gentleman from Philadelphia, Mr. Gelfand?

Mr. McCANN. I will be most pleased to yield, Mr. Speaker, to the gentleman from Philadelphia, Mr. Gelfand.

Mr. GELFAND. Mr. Speaker, I rise to address myself to the amendments.

It pains me greatly that we get into partisan recriminations when we talk about something which should be in all events what might be considered good government legislation. I say it pains me greatly because Mr. Lee equates the amendment that he gives with good, clean, fair elections and that any opposition to them must be in favor of unclear, unfair, unjust elections.

The fact of the matter is this, the purpose of a watcher is to watch at the polling place to see that people who are not authorized to vote do not vote. It certainly appears to me that the person who is best qualified to do that is someone from the community who would recognize the people who live in the community and therefore would be in a position to say that this individual either does or does not live here and, therefore, he is either qualified or unqualified to vote. That would appear to me to be the best possible way for the system of watchers to work.

Mr. Lee says, I agree that this is a good system and this is the system we should have. However, because of the fact that in Philadelphia it is impossible in certain areas to obtain watchers in a given division or a given community, we have to bring outlanders, people from outside the division, or outside the community, into the community to do a job of watching.

My statement in response to him is this: If you feel there is such a thing to be afraid of or if you feel that in a given community it is impossible to get a watcher, perhaps the fault lies in the inadequate spade work you do in order to obtain a watcher from that given community.

It also occurs to me, what evidence do we have that if we brought someone from outside the community, or what evidence do we have that we could get someone from outside the community, and that this particular individual would come into this given division where there is a lack of watchers and do a fair, honest job of watching?

What evidence do we have that this particular individual would not featherbed—no, I will not say feather-

bed—but show a lack of interest in doing what he is supposed to do?

I object strenuously to the position taken that unless you agree with me, then you have to be dishonest, because I do not think that is true. I happen to believe that watchers should come from the community in which they live and that if you bring a man from outside the community the possibility of unfairness or dishonesty is greater. Just because somebody says to me that somebody has made a purported investigation and says that he is in favor of good, clean, fair elections, and says that it should be done this way and, therefore, it is so, I do not take that as rote. I think this body is the body to make that decision. The time-honored and traditional reason why we want watchers to come from the community where they are watching is because they are acquainted with that community and because they know the people in that community who are entitled to vote. For that reason I think the amendments should be voted down.

The SPEAKER. The majority leader has the floor.

Mr. McCANN. Mr. Speaker, I yield to the gentleman from Philadelphia, Mr. Dougherty.

The SPEAKER. The majority leader yields to the gentleman from Philadelphia, Mr. Dougherty. The Chair recognizes the gentleman from Philadelphia, Mr. Dougherty.

Mr. DOUGHERTY. Mr. Speaker, I would like to interrogate Mr. Lee on the amendment.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Lee, permit himself to be interrogated?

Mr. A. M. LEE. I shall, Mr. Speaker.

Mr. DOUGHERTY. What I would like to know of the gentleman is, if he were assigned as a watcher in, say, my ward in South Philadelphia and it would take him an hour to get there, how would he exercise his right of franchise and be able to cast his own vote?

Mr. A. M. LEE. I would say, Mr. Speaker, the solution to that is very simple, because in a primary election, of course, each candidate is entitled to watchers, so there can be a number of watchers at a polling place. In the general election, each political party is assigned two watchers, so if there are two watchers at a polling place, one of them can leave for a sufficient length of time to cast his vote. That is no problem at all.

Mr. DOUGHERTY. The gentleman admits, then, that he would not be performing his duty as a watcher to be there before the polls open and be there until the polls close?

Mr. A. M. LEE. Not at all, Mr. Speaker, because both watchers can be there before the polls open and can be there for an hour or so after they open, and then during the course of the day one of them can leave for whatever period of time is necessary for him to vote, and the other one can do the same thing when the person returns. It is very simple.

Mr. DOUGHERTY. I thank the gentleman.

Mr. McCANN. Mr. Speaker, I rise to oppose the amendments, not coming from the metropolitan area of Philadelphia.

As the law now provides, a watcher comes from the precinct in the township or the borough or the city of the respective election district. There is no question

that each of them has the proper certificate, must have it, issued by the election board of the respective county.

We at least believe, and will until someone shows us any different, that we have clean, honest elections in all the counties, and you do in your county. The person who serves as a watcher, at least in our counties, in our precincts, is a registered voter, male or female, who lives in that precinct, and in the rural areas those people can call 95 percent of the people by name and know where they live.

If you took any person from another precinct within the same township or borough or another ward in a city and asked him to be the watcher over in the other precinct, he would serve probably as useless a watcher as you could place in the polling house, because a watcher serves a true purpose in a primary. If you, as a candidate, have that watcher, he is serving you in seeing that the people who vote there are properly authorized and registered to vote in that precinct, and they know this. In a general election it is your party or my party who has the watchers there.

I oppose this amendment on those very grounds, because the present election law serves us best and has been proven to serve well in this field for quite a few years. For that reason I oppose these amendments.

Mr. FINEMAN. Mr. Speaker, I also rise to oppose these amendments. I would like to say initially that I certainly agree with my colleague from Philadelphia, Mr. Gelfand, and I want to echo the sentiments that he has expressed. I resent, not only the inference, but the clear statement as made by the gentleman from Philadelphia to the effect that if you do not believe in the principle espoused in the amendments he is offering then you are, in fact, not a believer in good government. Nothing could be further from the truth. We on this side of the aisle from Philadelphia are just as much concerned about the integrity of our voting processes as is the gentleman from Philadelphia.

I will not dignify that assertion any further by seeking to defend it any more. Let it rest on that.

The second point I want to make is this:

In the city of Philadelphia the average political division has approximately 900 to 1,000 voters in it. There has been no demonstrable evidence indicating that there is a need for this type of amendment. Does the gentleman mean to indicate to me that out of 900 registered voters in any political precinct in the city of Philadelphia he cannot find two good Republicans with integrity who will do the job, who will understand the election laws of the State of Pennsylvania? Such a conclusion is preposterous.

If the gentleman is trying to help the Republican Party, I suggest that he does not use this vehicle, but, in fact, that he help his party give to the people of Philadelphia and to the State a platform, a project, a mark, that they can find attractive which will solicit their favorable vote at election time. This is not the way to do it.

Incidentally, I might say that I am all for the Republican Party doing the sort of thing that will attract voters to their party because I believe firmly in a two-party system. It makes for good government. I say that the way to get your voters, the way to keep honest elections and to assure good government is to have a strong two-party system and not by the type of amend-

ment which is being offered by the gentleman from Philadelphia today.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Sherman, and will give the gentleman from Philadelphia, Mr. Lee, the opportunity to close the debate, I believe.

Mr. SHERMAN. Mr. Speaker, some of us, perhaps, may seem to be getting a little old, but not old in the sense of common sense or decency. We who are getting a little old in years still remember the days of the 1920's and the early 1930's. There was a reason to maintain the law that we have presently existing on the statute books.

In those days in the city of Philadelphia the organization, whether Republican or Democrat—and I am not talking as a Democrat or Republican, because back in early 1932 I was registered Republican—but in those days we had men coming from all over the State, from all over the city, and attempts being made from one section of the city to the other to bring gangsters and those who lawfully had no right in the particular district, unknown to the people of the particular district, to come with whatever weapons they had to try to maintain what they said was their right to vote the way they wanted. That is the thing that we should avoid in this State.

Mr. Speaker, furthermore, I defy Mr. Lee or any member of the House to say that we do not have a remedy existing on the statute books today, whether it is the law of 1931 or 1933, that we exercised during those sad days of gangsterism among the Republican organization. That is why, when we saw there was anything wrong, or knew of anything wrong, or thought there would be anything wrong, we had a right to petition the court and ask for overseers, a law that we have on the statute books today, and the courts must under that law appoint one overseer of each party to maintain order, and that overseer's only responsibility would be to the courts. That law is presently existing on the statute books. Therefore, I request, to avoid gangsterism in any city or section, to maintain order and to observe the laws we have existing on the statute books today, that the members override these amendments.

The SPEAKER. The Chair believes the sponsor of the amendments should have the privilege of closing the debate, unless there is some other member who desires recognition.

The Chair recognizes the gentleman from Philadelphia, Mr. McCormack.

Mr. McCORMACK. Mr. Speaker, I did not want to speak on this amendment, but since the gentleman from Philadelphia has a habit of irritating a lot of Democrats, I do not want to be precluded from answering him in case he irritates me in his closing speech. Therefore, I want to answer him in case he does.

The SPEAKER. Is the gentleman from Philadelphia, Mr. McCormack, claiming the privilege of closing the debate?

Mr. McCORMACK. Just a conditional privilege, which I might not ask the Speaker to indulge. I do not intend to debate the bill, but Mr. Lee might say something that I would feel to be offensive and I would like the privilege of answering him.

The SPEAKER. The Chair does not believe that the gentleman from Philadelphia, Mr. Lee, will make such

personal allusions as to cause any excitement. The Chair recognizes the gentleman from Philadelphia, Mr. Lee, in the hope that he is closing the debate.

Mr. A. M. LEE. Just briefly in reply, Mr. Speaker.

In the first place, on the question of overseers, that is obviously a cumbersome and expensive method when it can be done through the media of watchers in all the polling places who are reliable and who understand the election code and can do their job.

Let me say that in all the major cities in the country the only other city besides the city of Philadelphia that requires watchers to be residents of the voting district is the city of Newark. All the others have much broader requirements as far as watchers are concerned.

Just in conclusion, as far as the gentleman from Greene is concerned and the other gentlemen who have spoken, they bear down on the question of the watcher recognizing the voters when they come to the polls and, Mr. Speaker, there is a lot, lot more to a watcher's responsibility than merely challenging people on the basis of identity.

As I indicated before, it would be fine if we could get people who are familiar with the voters and could do all the other things, but, because we are unable to get people in the division who know the voters, we have to take what is second best in those areas and that is someone who is familiar with the election code and can blow the whistle on illegal assistance and the other types of violations of the election code.

All of the non-partisan and objective agencies that have considered this matter have recommended the substance of my amendments and those agencies include the justice department of the Commonwealth of Pennsylvania.

So again, Mr. Speaker, I move the adoption of these amendments and ask for a roll call.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. A. M. LEE and McCANN and were as follows:

YEAS—99

Adams,	Fulmer,	King,	Simmons,
Anderson, J. H.,	George,	Kistler,	Slack,
Ashton,	Gibb,	Knecht,	Snare,
Auker,	Gibbons,	Kooker,	Steckel,
Backenstoe,	Goldstein, J. H.,	Korns,	Stimmel,
Blair,	Goldstein, M. H.,	Lee, A. M.,	Stiteler,
Bossert,	Goodrich,	Lee, K. B.,	Strausser,
Bower,	Gramlich,	Lippincott,	Thompson,
Bowman,	Gross,	Magee,	Tompkins,
Buchanan,	Guthrie,	Manbeck,	Ujobal,
Bush,	Haudenschild,	Markley,	Varner,
Davis,	Heffner,	Marsh,	Wall,
Dengler,	Helm,	May,	Weldner,
Dennison,	Henzel,	McCandless,	Wescott,
Donaldson,	Hocker,	McInroy,	Whittaker,
Down,	Holl,	Merry,	Willaredt,
Edwards,	Holliday,	Miller,	Williams, A. D.,
Elvey,	Holman,	O'Dell,	Williams, E. S.,
Eshback,	Horst,	Ogilvie,	Wilt,
Eshleman,	Isaacs,	Piper,	Wood,
Esler,	Johnson, A. W.,	Price,	Worley,
Ewing,	Johnson, R. P.,	Pursley,	Wynd,
Fetterolf,	Keiser,	Royer,	Zember,
Foor,	Kernaghan,	Rutherford,	Zimmerman,
Fox,	Kessler,	Seltzer,	

NAYS—107

Anderson, S. A.,	Galley,	Maxwell,	Reibman,
Arlene,	Gallagher,	McCann,	Reidenbach,
Bachman,	Gelfand,	McCormack,	Renwick,
Boles,	Gray,	McDevitt,	Riley,
Bonner,	Greenlee,	McDonald,	Rovansek,
Branca,	Gremminger,	McKeever,	Rubin,

Breth,	Guesman,	McLaughlin,	Rudisill,
Capano,	Hamilton,	McNally,	Sakulsky,
Capitolo,	Hankins,	Meholchick,	Scarcelli,
Cauley,	Hartley,	Mills,	Schaaf,
Clanfrani,	Heavey,	Monroe,	Schuster,
Cioffi,	Irvins,	Morley,	Shelton,
Clarke,	Jenkins,	Mullen,	Sherman,
Comer,	Jim,	Munley,	Shupnik,
Cooley,	Jones,	Murphy,	Stank,
Crossin,	Kamyk,	Murray,	Stone,
Curwood,	Kelly,	Musto,	Sullivan, J. A.,
Dougherty,	Klein,	Needham,	Sullivan, T. F.,
Doughten,	Kornick,	O'Donnell, J. A.,	Taylor,
Eilberg,	Kramer,	O'Donnell, J. P.,	Tomascik,
Farabaugh,	Lamb,	Parlante,	Trusio,
Filo,	Lawson,	Pashley,	Verona,
Fineman,	Leonard,	Perry,	Wargo,
Flynn,	Limper,	Petrosky,	Welsh,
Forester,	Long, Wm. Jas.,	Polaski,	Yetter,
Frascella,	Long, Wm. Jos.,	Polen,	Andrews,
Fry,	Lutty,	Prendergast,	Speaker

NOT VOTING—4

Mihm,	Odorsio,	Walsh,	Willard,
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So the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Lee.

Mr. A. M. LEE. Mr. Speaker, I would just like to state briefly that the defeat of my amendments does not affect my position on the bill itself. I personally see no objection to it and intend to vote for it. I just did not want the impression to be created that because the amendments were not accepted I was against the bill itself.

The SPEAKER. The Chair recognizes the gentleman from Delaware, Mr. Lippincott.

Mr. LIPPINCOTT. Mr. Speaker, I would like to interrogate one of the sponsors of this bill.

The SPEAKER. Which one?

Mr. LIPPINCOTT. Mr. Petrosky, if he will consent to be interrogated.

Mr. PETROSKY. I shall, Mr. Speaker.

Mr. LIPPINCOTT. Mr. Speaker, will the gentleman state why the order of appointing these officials should not be made when the final order is entered making the change as the present law provides? In other words, what is the reason for this bill? It seems to me you get into two hearings now when it could easily be accomplished as it is now in one hearing.

Mr. PETROSKY. I would suggest to the gentleman that I do not know why they would have to be in a hurry to do it at this time. I think it would be proper that in this division the election board officials, whom you have recognized, are appointed from the majority party in the area and the minority party, and there would be a sufficient time for the county chairman of each respective party to get in touch with their local people, their local committeemen and committeewomen, and ascertain as to whom would be given sufficient time to ascertain who would be the best to represent the election board in that particular locale. I think this is a reasonable request.

Mr. LIPPINCOTT. I thank the gentleman.

Mr. Speaker, I oppose this bill because it seems to me completely unnecessary to have a second hearing and a second order appointing the officials. The present law

has been working very well and it seems to me we should retain it.

The SPEAKER. The Chair recognizes the gentleman from Westmoreland, Mr. Petrosky.

Mr. PETROSKY. Mr. Speaker, I do not think the position of the gentleman, a good friend of mine from Delaware, Mr. Lippincott, is very strong inasmuch as the appointing order is a matter of procedure alone in the courts. It is not that tremendous a job. We have this occurring solely prior to elections upon the resignations of various board members or upon their moving from one district to the next. It is strictly a procedural matter and I feel that this area that we request a short, reasonable time to bring about what I answered in the interrogation by the gentleman is a valid reason, and I would request the membership of the House to support the bill that is before us.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Eilberg.

Mr. EILBERG. Mr. Speaker, from the point of view of Philadelphia, we have had and are having in certain parts of our city a population explosion. As a result, it is necessary from time to time to go before the court to ask for the division or creation of new election districts.

Now we have no way of knowing prior to the hearings, whether or not the new election division of the district will be created. Because of the uncertainty, it is extremely difficult to get people to say in advance that they would be willing to serve as election board officials. As a result, what happens as a matter of practice is what we are proposing as I read the bill. The court, after it decides that the new district shall be created, then makes it possible for the political parties to go out and obtain people who are willing to serve as election board officials.

Now it seems to me this is a natural, orderly process. As for the objection of my colleague from Delaware, Mr. Lippincott, there is certainly no intent nor does it appear in the bill, to my way of reading, that there is any second hearing required at all.

It seems to me, Mr. Speaker, that this is a good bill and we should vote for it.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—130

Adams,	Gallagher,	Maxwell,	Reibman,
Anderson, S. A.,	Gelfand,	May,	Reidenbach,
Arlene,	Goldstein, J. H.,	McCann,	Renwick,
Auker,	Gramlich,	McCormack,	Riley,
Bachman,	Gray,	McDevitt,	Rovansek,
Backenstoe,	Greenlee,	McDonald,	Rubin,
Boies,	Gremminger,	McInroy,	Rudisill,
Bonner,	Guesman,	McKeever,	Sakulsky,
Branca,	Hamilton,	McLaughlin,	Scarcelli,
Breth,	Hankins,	McNally,	Schaaf,
Capano,	Hartley,	Meholchick,	Schuster,
Capitolo,	Heavey,	Miller,	Shelton,
Cauley,	Heffner,	Mills,	Sherman,
Clanfrani,	Henzel,	Monroe,	Shupnik,
Cioffi,	Irvins,	Morley,	Snare,
Clarke,	Jenkins,	Mullen,	Stank,
Comer,	Jim,	Munley,	Steckel,
Cooley,	Jones,	Murphy,	Stimmel,
Crossin,	Kamyk,	Murray,	Stone,
Curwood,	Kelly,	Musto,	Sullivan, J. A.,
Dougherty,	Klein,	Needham,	Sullivan, T. F.,
Doughten,	Kornick,	O'Donnell, J. A.,	Taylor,

Ellberg, Esler, Farabaugh, Filo, Fineman, Flynn, Forester, Frascella, Fry, Fulmer, Galley,	Korns, Kramer, Lamb, Lawson, Lee, A. M., Leonard, Limper, Long, Wm. Jas., Long, Wm. Jos., Lutty, Markley,	O'Donnell, J. P., Parlante, Pashley, Perry, Petrosky, Polaski, Polen, Prendergast, Price, Pursley,	Tomasclik, Trusio, Verona, Walsh, Wargo, Weidner, Welsh, Williams, A. D., Yetter, Andrews, Speaker
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NAYS—74

Anderson, J. H., Ashton, Bossert, Bower, Bowman, Buchanan, Bush, Davis, Dengler, Dennison, Donaldson, Down, Edwards, Elvey, Eshback, Eshleman, Ewing, Fetterolf, Foor,	Fox, Gibb, Gibbons, Goldstein, M. H., Goodrich, Gross, Guthrie, Haudenschild, Helm, Hocker, Holl, Holliday, Holman, Horst, Isaacs, Johnson, A. W., Johnson, R. P., Keiser, Kernaghan,	Kessler, King, Kistler, Knecht, Kooker, Lee, K. B., Lippincott, Magee, Manbeck, Marsh, McCandless, Merry, O'Dell, Ogilvie, Piper, Royer, Rutherford, Seltzer,	Simmons, Slack, Stiteler, Strausser, Thompson, Tompkins, Ujobal, Varner, Wall, Wescott, Whittaker, Willaredt, Williams, E. S., Wilt, Wood, Worley, Wynd, Zember,
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NOT VOTING—6

Blair, George,	Mihm, Odorisio,	Willard,	Zimmerman,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

STATEMENT BY SPEAKER

The SPEAKER. Some members of the House have criticized because today we have an over insistence on decorum and attention. Why do we do that? Sooner or later, every member of this House will want to address the House and be entitled to address the House. And if we create the condition of attention and decorum, that member, however obscure he may have been, will be accorded a hearing. And if we get into the habit of not having decorum, only the leaders of the House and the more forceful members will be listened to.

The Chair would like the cooperation of the House in creating a tradition of decorum that will insure every member a hearing as, if, and when he may desire one.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1510, entitled:

An Act amending "The Insurance Company Law of 1921" approved May 17, 1921 (P. L. 682), requiring certain domestic mutual insurance companies to accumulate unearned premium reserves within a prescribed period.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—138

Anderson, S. A., Arlene, Auker, Bachman, Backenstoe, Boies, Bonner, Bossert, Branca, Breth, Capano, Capitolo, Cauley, Cloffi, Clarke, Comer, Cooley, Crossin, Curwood, Dengler, Dennison, Donaldson, Dougherty, Doughten, Eilberg, Eshleman, Esler, Ewing, Fetterolf, Filo, Fineman, Flynn, Forester, Frascella, Fry,	Fulmer, Galley, Gallagher, Gelfand, Gibb, Gibbons, Goldstein, M. H., Gray, Greenlee, Gremminger, Guesman, Hamilton, Hankins, Hartley, Haudenschild, Heavey, Hefner, Henzel, Holl, Irvis, Isaacs, Jenkins, Jim, Johnson, R. P., Jones, Kamyk, Kelly, Kernaghan, Klein, Kornick, Kramer, Lawson, Lee, A. M., Leonard, Limper,	Lippincott, Long, Wm. Jas., Long, Wm. Jos., Lutty, Markley, Maxwell, McCann, McCormack, McDevitt, McDonald, McInroy, McKeever, McLaughlin, McNally, Meholchick, Mills, Morley, Mullen, Munley, Murphy, Murray, Musto, Needham, O'Donnell, J. A., O'Donnell, J. P., Parlante, Pashley, Perry, Petrosky, Piper, Polaski, Polen, Prendergast, Reidenbach,	Riley, Rovanssek, Royer, Rubin, Rutherford, Scarcelli, Schaaf, Schuster, Shelton, Sherman, Shupnik, Simmons, Stank, Steckel, Stimmel, Stiteler, Stone, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomasclik, Ujobal, Verona, Walsh, Wargo, Welsh, Wescott, Whittaker, Willaredt, Wilt, Wood, Andrews, Speaker
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NAYS—60

Adams, Anderson, J. H., Ashton, Bower, Bowman, Buchanan, Bush, Davis, Down, Edwards, Elvey, Eshback, Farabaugh, Foor, Fox,	Goldstein, J. H., Goodrich, Gramlich, Gross, Guthrie, Helm, Hocker, Holliday, Holman, Horst, Johnson, A. W., Keiser, Kessler, King, Kistler,	Knecht, Kooker, Korns, Lee, K. B., Magee, Manbeck, Marsh, May, McCandless, Merry, Miller, O'Dell, Ogilvie, Price, Pursley,	Renwick, Seltzer, Slack, Snare, Strausser, Tompkins, Trusio, Varner, Wall, Weidner, Williams, A. D., Williams, E. S., Worley, Wynd, Zember,
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NOT VOTING—12

Blair, Cianfrani, George,	Lamb, Mihm, Monroe,	Odorisio, Reibman, Rudisill,	Willard, Yetter, Zimmerman,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1515, entitled:

An Act amending "The First Class City Permanent Registration Act" approved March 30, 1937 (P. L. 115), providing that persons otherwise qualified to vote may vote if their names appear either on the street list posted in the district or on the list accompanying the district register.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Lee.

Mr. A. M. LEE. Mr. Speaker, House bill 1515 is an amendment to the first class city permanent registration act, and the net effect of this legislation would be to permit someone to vote on election day even though his card was not in the district register as long as his name was on the street list at the polling place.

Now I would only say, briefly, in opposition to the bill, Mr. Speaker, that the inaccuracies in our street lists in the city of Philadelphia run in the neighborhood of 10 to 15 percent. That is, there are that many people on the street lists throughout the city who are no longer residents of the division or who have died or for some reason have not been removed.

I would only say that I do not think this is the type of legislation we should enact. It appears to me to be clearly a blueprint for fraud in the election process, and I therefore ask the members to vote against this legislation.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Eilberg.

Mr. EILBERG. Mr. Speaker, I am sure the members of the House will be interested in knowing that our Democratic city solicitor in Philadelphia recognized the law as it is and that created the problem as a result of which House bill 1515 was introduced.

The law does say that if your name is not in the binder, you may vote only if your name is on the street list and the supplemental list and if you sign an affidavit.

Now for many years in Philadelphia both parties have been permitting people to vote whose names appear either on the street list or on the supplemental list, providing, of course, they sign the challenge affidavit.

Now our city solicitor discovered that the law required both the name on the street list and on the supplemental list and suggested that it would be a good idea, in order to insure honest elections, to introduce this bill so we could make the existing practice lawful.

I might say, Mr. Speaker, that where controversies have arisen the courts in Philadelphia, Republican and Democratic judges alike, have always permitted individuals to vote when their names appeared on the street list alone.

Now my friend from Philadelphia has indicated that inaccuracies range from 10 to 15 percent. I think his figures are exaggerated. I know that the Democratic Party, at least, is constantly engaged in striking off names of people who are deceased, who have moved, and the number of people we turn in are far, far in excess of what the opposition party turns in. We are constantly at work cleaning up the street lists so we are helping to insure that only people who actually are entitled to vote may vote.

I say, Mr. Speaker, that if someone were to come to the polls and, through a possible error on the part of the county board of election, the affidavit were not in the binder, that is, the card indicating that the voter could vote, if that person's name were on a street list, he and many others like him would be deprived of the opportunity to vote. I understand, Mr. Speaker, that there are many, many cases in every election where people would be honestly deprived of the right to vote because an error had been made as far as the card in the binder, and it seems to be very unfair to deny them the proper right to vote and we should support this bill.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. M. H. Goldstein.

Mr. M. H. GOLDSTEIN. Will the gentleman from Philadelphia, Mr. Eilberg, consent to be interrogated?

Mr. EILBERG. I shall, Mr. Speaker.

Mr. M. H. GOLDSTEIN. Mr. Speaker, is it not the law in Philadelphia that if you wish to vote you must sign your name to a card and the board can compare your signature with the card?

Mr. EILBERG. That is right.

Mr. M. H. GOLDSTEIN. Now, under this bill, if the man's name is not on the registered list, there would be no card. Is that correct?

Mr. EILBERG. No, that is incorrect. Every voter who comes to the polls at the primary or general election must sign a voter's certificate, and it is the duty of the election board to compare every single signature with the signature that appears in the binder.

Mr. M. H. GOLDSTEIN. Well, this bill, Mr. Speaker, provides that your name is either on the street list or district register. Now, your card is in the district register, is it not?

Mr. EILBERG. Yes.

Mr. M. H. GOLDSTEIN. Well, under this bill, if your name is not in the district register and your name is on the street list, you are qualified to vote. Is that correct? Is that what you do in Philadelphia today, Mr. Speaker?

Mr. EILBERG. I did not hear the gentleman's question.

Mr. M. H. GOLDSTEIN. Is it the practice in Philadelphia today, which you want now made legal by this bill, that if your name is either on the street list or on the district register, you can vote?

Mr. EILBERG. That is not quite correct.

Mr. M. H. GOLDSTEIN. What is correct, then?

Mr. EILBERG. The gentleman does not quite understand what has been said and I will try to explain. The registration commission provides a binder to every single voting place in the city. This contains the name of every registered voter, or should contain the name of every registered voter. In addition, there are street lists that are provided by the registration commission to the voting districts throughout the city. Occasionally someone may register late, and his name or card may not appear in the binder, and so the registration commission provides a supplemental list which accompanies the binder. The law presently says that if your name is in the binder, your name need not be on the street list, need not be on the supplemental list. The point of controversy here is that the law presently says if your name is not in the binder, it must be both on the street list and the supplemental list which I have just described. Now, as I said, there are many, many cases in Philadelphia where people have voted with their name being on the street list alone or where an objection has been made and in such cases the court has sustained the right of an individual to vote.

Mr. M. H. GOLDSTEIN. Now, Mr. Speaker, that is all, Mr. Eilberg. The answers of Mr. Eilberg do not satisfy me because my recollection of the law is that the name of the voter is set forth in the district register and there his signature can be compared. Now, in Philadelphia they want to have the choice that even if you are a non-registered or otherwise, if your name is not in the district register, you can take an informal street list and say you have the right to vote.

That will open the door to fraud, and we say that bill is

unsound and against the interests of the people of Philadelphia as a whole.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Fineman.

Mr. FINEMAN. Mr. Speaker, I would like to interrogate the gentleman from Philadelphia, Mr. Lee.

The SPEAKER. Will the gentleman from Philadelphia, Mr. A. M. Lee, permit himself to be interrogated?

Mr. A. M. LEE. I shall, Mr. Speaker.

Mr. FINEMAN. If I recollect correctly, you stated that this bill is, in effect, a blueprint for fraud, is that correct?

Mr. A. M. LEE. That is correct, Mr. Speaker.

Mr. FINEMAN. Now a blueprint as I understand same, is a plan or drawing or sketch. Is that correct?

Mr. A. M. LEE. Yes, Mr. Speaker, that is correct, as I understand the definition of the word.

Mr. FINEMAN. Do I therefore gather from your remarks that the gentlemen who drew these plans or these sketches, principally the sponsors of this bill, plus those who advocate passage of this bill, are people who have purposely drawn a plan for the perpetration of a fraud.

Mr. A. M. LEE. I would reply, Mr. Speaker, by saying that I merely referred to the bill as a blueprint for fraud. I did not in any way indicate as to how it was drawn or why it was drawn or what the motives were of those who drew it.

Mr. FINEMAN. Well, I am asking you now, even though you did not say what the motive was, I am asking you now, from the inference that I draw from your statement, is it correct that those who drew up this plan in the form of a bill have placed before the members of this House a plan for the perpetration of a fraud?

Mr. A. M. LEE. I would say again, Mr. Speaker, I do not know what they had in their minds when they drew the bill. I only know what the bill itself provides, so what was in their minds is not a matter that is within my knowledge and I cannot answer the gentleman's question.

Mr. FINEMAN. Would you agree that your choice of language was an unfortunate choice of language?

Mr. A. M. LEE. I would not so agree, Mr. Speaker.

Mr. FINEMAN. Are not the binders in which the names of voters are contained, are they not under the jurisdiction and control of the registration commission in the city of Philadelphia?

Mr. A. M. LEE. Up until a few days prior to election when they are delivered to the county board of elections.

Mr. FINEMAN. And is it not a fact that the street lists in Philadelphia are prepared by the registration commission of the city of Philadelphia?

Mr. A. M. LEE. That is correct.

Mr. FINEMAN. Does it not, therefore, follow that if there be a margin of error, or a percentage of errors that you indicate in the street lists in the city of Philadelphia, since the binders are likewise in the hands of these same people who have committed the mistakes in the street lists, there can equally be the same number of mistakes in the binders?

Mr. A. M. LEE. That is not necessarily so, Mr. Speaker.

Mr. FINEMAN. I did not ask if it were not necessarily so. I asked if the possibility does not exist?

Mr. A. M. LEE. I would be willing to answer the interrogation, Mr. Speaker, if I had a chance to explain my answer, which I understand is my right.

Mr. FINEMAN. I certainly will give you a chance to explain but I am asking you now, and then you can explain, whether or not the possibility exists. In other words, a class of workers will not confine their mistakes, if in fact they are making mistakes, to a particular document. If they are negligent in the handling of one thing, they will be negligent in the handling of the other.

Mr. A. M. LEE. The gentleman is assuming that all these names that are on the street lists or cards which are missing from the binder are the result of mistakes and he is assuming too much. I would be glad to give the gentleman my opinion of this process and some of the reasons I think are important as to why there are these inaccuracies in the street lists and also in the binder, but the way the gentleman is pressing the interrogation, he wants me to answer these things but does not want to give me an opportunity to explain.

Mr. FINEMAN. That is not so, at all. The microphone is yours, is it not?

Mr. A. M. LEE. I am sorry, I did not get that.

Mr. FINEMAN. I am not trying to preclude you from any explanations. I propounded a very simple question. I would like to elicit an answer and then you can further expound the answer.

Mr. A. M. LEE. Will you repeat the question?

Mr. FINEMAN. I said to you that since the same workers have under their jurisdiction both the street lists and the binders, and if you find they are making a mistake on the street lists, there exists the same possibility as to the same number of mistakes to be made in the binder. Now is that not a fact?

Mr. A. M. LEE. I would say, Mr. Speaker, that a possibility exists, but, on the other hand, the street list is an informal list. The binder is really the important record, and it is my understanding of the process over there that considerably more attention is given to insuring that the cards are in the district register than there is to the question of the accuracy of the street list. Because it just goes without saying, that since the binder must contain the card of the voter, as far as the registration commission is concerned, they spend a lot more time, especially in the later days just prior to closing the books, to make sure all the necessary cards are in the binder, and because of limited personnel in the office of the registration commission in the city of Philadelphia, why, it seems to me the possibility also exists that they may sacrifice the accuracy of the street lists for the purpose of improving the accuracy of the binder.

Mr. FINEMAN. Now, is it not a fact that the street list information is compiled from the names in the binder?

Mr. A. M. LEE. Well, to a certain extent . . .

Mr. FINEMAN. What do you mean to certain extent? Isn't it a fact that the street lists are made up from the binder?

Mr. A. M. LEE. But, Mr. Speaker, with the limited personnel in the registration commission, they are engaged in two separate tasks, trying to put their binders in shape and trying to get their street lists in shape, and it is my understanding that they have several people who are in charge of the street lists and sometimes the lines of communication break down.

Mr. FINEMAN. I thank the gentleman.

Mr. Speaker, I think the interrogation clerly indicates and clearly points up the need for the type of legislation

involved. Now, Mr. Speaker, I am a working committeeman. I am out in the field at the election polls every election day and I do not know how many instances I have found repeatedly where the cards were missing from the binder and the person was disfranchised and could not vote although I know they were properly registered and had voted in previous elections. What happened in many instances was that the card was taken from one binder and inadvertently put into another binder of another election district so that, although the person's name appeared on the street list, they were not entitled to vote although they were properly registered and had previously voted. There very definitely exists a need for this legislation and by no means can this be construed as a blueprint for fraud.

Mr. McCORMACK. Mr. Speaker, may I interrogate the gentleman from Philadelphia, Mr. Lee?

The SPEAKER. Will the gentleman from Philadelphia, Mr. Lee, permit himself to be interrogated?

Mr. A. M. LEE. I shall, Mr. Speaker.

Mr. McCORMACK. Preliminarily to the interrogation, I think before we vote on this we ought to get the facts of the procedure straightened out. As a result of the interrogation of Mr. Eilberg by Mr. Goldstein, I am not sure I know the facts, and I am not sure that Mr. Goldstein does, either.

Mr. Speaker, let us assume that I as a voter go to the polling place to vote and my name is not in the district register. Let us assume further that my name appears on the street list. Would I be entitled to vote if I still lived in, say, your division?

Mr. A. M. LEE. It is my understanding of the present law as interpreted by the city solicitor that you could not vote then and there on the basis of the fact that your name appeared on the street list. It is possible that you could vote.

Mr. McCORMACK. I did not ask the gentleman that.

Mr. A. M. LEE. I answered that.

Mr. McCORMACK. I asked: Assuming the facts I just gave, would I be entitled to vote in your division in the past?

Mr. A. M. LEE. I do not understand the interrogation. The gentleman said, would he be entitled to vote in my division in the past?

Mr. McCORMACK. Let us assume, Mr. Speaker, that I lived in his division, that the gentleman was one of the election officials, that I came there in November to vote and my name was not in the district register, but it was on the street list, would I have been permitted to vote at that time?

Mr. A. M. LEE. Is the gentleman speaking about the past or the present?

Mr. McCORMACK. In the November election, when Kennedy beat Nixon.

Mr. A. M. LEE. It is my understanding that under the interpretation by the city solicitor that you would not, last November, have been entitled to vote purely on the basis that your name appeared on the street list.

Mr. McCORMACK. Mr. Speaker, let us not be naive. I think I am entitled to a direct answer based on past practice in the city of Philadelphia, not on what the city solicitor has told someone today or yesterday. I am talking about the procedure as of November, 1960, in the city of Philadelphia with respect to a person's right to vote

whose name is not in the district register but whose name is on the street list. Is the gentleman saying that person would be deprived of a vote?

Mr. A. M. LEE. No, I did not say that, Mr. Speaker. I am trying to make it clear that merely because the name was on the street list it would not confer upon the election board the right to permit that person to vote. Now, that person could vote in one of two ways. The registration commission could be called and either the person's card or a duplicate of the card could be sent out and locked in the binder. At that point the person would be eligible to vote.

In the alternative, he could go to the election court and raise the problem and, if the court saw fit, they could give him a certificate that would entitle him to vote.

Mr. McCORMACK. There is no question then that in the past I would have been allowed to vote if I had signed an affidavit to the fact that I still resided in that district, although my name did not appear in the district register, is that correct?

Mr. A. M. LEE. That would have been correct prior to the ruling by the city solicitor to the effect that the name on the street list alone was not sufficient.

Mr. McCORMACK. I am not familiar with any ruling by the city solicitor; I have not seen any ruling. I have heard it alluded to and I assume that it is correct. This does not really change the law then, does it?

Mr. A. M. LEE. It does change the law, because under the opinion of the city solicitor they may not now do what this bill purports to permit them to do.

Mr. McCORMACK. Does the gentleman have a copy of that opinion by the city solicitor?

Mr. A. M. LEE. No, I do not. I would refer you to the gentleman from Philadelphia, Mr. Eilberg. He is familiar with the ruling and could probably furnish you with a copy of it.

Mr. McCORMACK. Did the gentleman read a copy of that opinion?

Mr. A. M. LEE. I took Mr. Eilberg's word as to what the opinion said and I feel perfectly secure that he interpreted it properly to me.

Mr. McCORMACK. When was the opinion written?

Mr. A. M. LEE. I would say several years ago. I do not know, exactly.

Mr. McCORMACK. In light of the practice that existed in Philadelphia and that you admitted existed in the city of Philadelphia, how is this possibly a blueprint for fraud?

Mr. A. M. LEE. It is just my opinion that as far as the city solicitor's opinion is concerned it was correct, that we should not permit people to vote merely because their name appears on a street list in view of the known inaccuracies in those street lists. That is my personal opinion.

Mr. McCORMACK. Then let me see if I understand the gentleman's philosophy.

Suppose I am a duly qualified resident of an election district and I go to the polling place half an hour before the polls close, I have lived there for 40 years and I sign the affidavit to vote, and they check the district register and my name is not in there but it is on the registration list, is the gentleman saying that I should not be entitled to vote?

Mr. A. M. LEE. It is my understanding that under the present state of the law you would not be entitled to vote.

Mr. McCORMACK. That is all, Mr. Speaker. I thank the gentleman.

I think this is a perfectly innocuous bill. I think we are dragging red herrings across the scene here. This is something that gives a person the most important, basic and fundamental right that he has in a democracy, the right to vote. Because of the fact that there are some errors made by the registration commission in that a person's name might be omitted from the district register, I think to deprive that person of a vote is a terrible thing in this day and age. We have all the safeguards necessary to insure that that person is duly qualified. He must take an affidavit that he still lives there, he must sign that affidavit and, in addition to that, there must be people on the election board or in that particular precinct who know that person and who can testify to the fact that that person is a duly qualified resident of that election district.

Therefore, I think when you set aside all the smoke and all the clever phrases, you have a bill here that is perfectly harmless and should be voted by both sides.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—107

Anderson, S. A.,	Gallagher,	McCann,	Reidenbach,
Arlene,	Gelfand,	McCormack,	Renwick,
Bachman,	Gray,	McDevitt,	Riley,
Boies,	Greenlee,	McDonald,	Rovansek,
Bonner,	Gremminger,	McKeever,	Rubin,
Branca,	Guesman,	McLaughlin,	Rudisill,
Breth,	Hamilton,	McNally,	Sakulsky,
Capano,	Hankins,	Meholchick,	Scarcelli,
Capitolo,	Hartley,	Mills,	Schaaf,
Caulley,	Heavey,	Monroe,	Schuster,
Cianfrani,	Irvis,	Morley,	Shelton,
Clarke,	Jenkins,	Mullen,	Sherman,
Comer,	Jim,	Munley,	Shupnik,
Cooley,	Jones,	Murphy,	Stank,
Crossin,	Kamyk,	Murray,	Stone,
Curwood,	Kelly,	Musto,	Sullivan, J. A.,
Dougherty,	Klein,	Needham,	Sullivan, T. F.,
Doughten,	Kornick,	O'Donnell, J. A.,	Taylor,
Ellberg,	Kramer,	O'Donnell, J. P.,	Tomasick,
Farabaugh,	Lamb,	Parlante,	Trusio,
Filo,	Lawson,	Pashley,	Verona,
Fineman,	Leonard,	Perry,	Walsh,
Flynn,	Limper,	Petrosky,	Wargo,
Forester,	Long, Wm. Jas.,	Polaski,	Welsh,
Frascella,	Long, Wm. Jos.,	Polen,	Yetter,
Fry,	Lutty,	Prendergast,	Andrews,
Galley,	Maxwell,	Reibman,	Speaker

NAYS—98

Adams,	Fulmer,	Kistler,	Simmons,
Anderson, J. H.,	George,	Knecht,	Slack,
Ashton,	Gibb,	Kooker,	Snare,
Auker,	Gibbons,	Korns,	Steckel,
Backenstoe,	Goldstein, J. H.,	Lee, A. M.,	Stimmel,
Blair,	Goldstein, M. H.,	Lee, K. B.,	Stittler,
Bossert,	Goodrich,	Lippincott,	Strausser,
Bower,	Gramlich,	Magee,	Thompson,
Bowman,	Guthrie,	Manbeck,	Tompkins,
Buchanan,	Haudenschild,	Markley,	Ujobal,
Bush,	Heffner,	Marsh,	Varnier,
Davis,	Helm,	May,	Wall,
Dengler,	Henzel,	McCandless,	Weldner,
Dennison,	Hocker,	McInroy,	Wescott,
Donaldson,	Holl,	Merry,	Whittaker,
Down,	Holliday,	Miller,	Willaredt,
Edwards,	Holman,	O'Dell,	Williams, A. D.,
Elvey,	Horst,	Ogilvie,	Williams, E. S.,
Eshback,	Isaacs,	Piper,	Wilt,

Eshleman,	Johnson, A. W.,	Price,	Wood,
Esler,	Johnson, R. P.,	Pursley,	Worley,
Ewing,	Keiser,	Royer,	Wynd,
Fetterolf,	Kernaghan,	Rutherford,	Zember,
Foor,	Kessler,	Seltzer,	Zimmerman,
Fox,	King,		

NOT VOTING—5

Cioffi,	Mihm,	Odorisio,	Willard,
Gross,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Mr. HELM IN THE CHAIR

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1105, entitled:

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333), further regulating the form of applications certifications and declaration for absentee ballots the time within which applications for such ballots must be received and the canvassing of such ballots.

On the question,

Will the House agree to the bill on third reading?

Mr. HOLLIDAY asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Sec. 1 (Sec. 1303-B), page 9, line 3, by inserting brackets before and after "thirtieth" and inserting immediately thereafter: "forty-fifth".

Amend Sec. 1 (Sec. 1303-B), page 9, line 4, by striking out the brackets before and after "seventh".

Amend Sec. 1 (Sec. 1303-B), page 9, line 4, by striking out "fifteenth".

Amend Sec. 1 (Sec. 1304-B), page 10, line 2 by inserting after "applicant": "not earlier than the thirtieth day prior to the election".

Amend Sec. 1 (Sec. 1307-B), page 14, lines 2 and 3, by striking out "and as to his eligibility to vote under this act".

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the gentleman from Blair, Mr. Holliday.

Mr. HOLLIDAY. Mr. Speaker, these amendments are minor in character, I think, although the opposition may not feel that way.

One of them, the first amendment, changes on page 9, line 3, by inserting brackets before and after "thirteenth" and inserting immediately thereafter "forty-fifth," the time when a request can be sent out for absentee ballots.

The main one that I am interested in is amending section 1, page 9, line 4, by striking out the brackets before and after the "seven."

Now, as the bill is written, it has fifteen days prior to the date of the election as the limit at which time the absentee ballots could be applied for. In our particular community, and I think throughout the State, fifteen days

is cutting the time too short to let a lot of people who are going to be absent to get their requests in.

Now you take our community. We have a lot of trainmen and they would not know fifteen days ahead of time whether or not they are going to be called out on a run and be away on election day. Now even seven days, some of them would not know in that time. But that is giving them more of an opportunity than it would be if they were cut off short at fifteen days.

So, we believe that this amendment is a good amendment and would make the bill a better bill than it is with the limit of fifteen days, and I recommend everybody to support these amendments.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Westmoreland, Mr. Petrosky.

Mr. PETROSKY. Mr. Speaker, I rise to oppose the amendments. The gentleman has indicated that he wants a larger amount of time for the absentee balloting, but I would submit that the voter who stays at home, who is at home, and, of course, must cast his ballot in his precinct, has just one single day to cast that ballot.

Now, further, in speaking about the proposal to amend this section to make it no later than fifteen days preceding the day of election in which the ballot is to be cast, all other applications received would be void.

Now the mechanics of this is what the election boards are confronted with. You allow this situation to occur until the seventh day prior to the election, and with the limited help that the various election boards have throughout the Commonwealth, they find that it is very difficult to compile the necessary lists for the great number of precincts for which they must compile them and get them to the election boards, where they then are posted, and, of course, would disallow the possibility of a duplicate vote being cast by that elector were he to be at home.

So, in effect, the registration board of my county would want a longer period of time, and I am sure this would happen in other counties as well, so they could operate the mechanics of the absentee ballot law without too great an expenditure for additional clerks, and so on, to get back to each of the almost 300 election boards, the list of persons who have designated that they intended to cast an absentee ballot.

I ask the membership of the House to oppose the amendments offered by the gentleman from Blair, Mr. Holliday.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Blair, Mr. Holliday.

Mr. HOLLIDAY. I request a roll call.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. HOLLIDAY and PETROSKY and were as follows:

YEAS—98

Adams,	George,	Knecht,	Slack,
Anderson, J. H.,	Gibb,	Kooker,	Snare,
Ashton,	Gibbons,	Korns,	Steckel,
Auker,	Goldstein, J. H.,	Lee, A. M.,	Stimmel,
Backenstoe,	Goldstein, M. H.,	Lee, K. B.,	Stiteler,
Blair,	Goodrich,	Lippincott,	Strausser,
Bossert,	Gramlich,	Magee,	Thompson,
Bower,	Guthrie,	Manbeck,	Tompkins,
Bowman,	Haudenshield,	Markley,	Ujohal,
Buchanan,	Heffner,	Marsh,	Varner,
Bush,	Helm,	May,	Wall,

Davis,
Dengler,
Dennison,
Donaldson,
Down,
Edwards,
Elvey,
Eshleman,
Esler,
Ewing,
Fetterolf,
Foor,
Fox,
Fulmer,

Henzel,
Hocker,
Holl,
Holliday,
Holman,
Horst,
Isaacs,
Johnson, A. W.,
Johnson, R. P.,
Keiser,
Kernaghan,
Kessler,
King,
Kistler,

McCandless,
McInroy,
Merry,
Miller,
O'Dell,
Ogilvie,
Piper,
Price,
Pursley,
Royer,
Rutherford,
Seltzer,
Simmons,

Weidner,
Wescott,
Whittaker,
Willaredt,
Williams, A. D.,
Williams, E. S.,
Wilt,
Wood,
Worley,
Wynd,
Yetter,
Zember,
Zimmerman,

NAYS—105

Anderson, S. A.,	Gallagher,	Maxwell,
Arlene,	Gelfand,	McCann,
Bachman,	Gray,	McCormack,
Boies,	Greenlee,	McDevitt,
Bonner,	Gremminger,	McKeever,
Branca,	Guesman,	McLaughlin,
Breth,	Hamilton,	McNally,
Capano,	Hankins,	Meholchick,
Capitolo,	Hartley,	Mills,
Cauley,	Heavey,	Monroe,
Cianfrani,	Irvis,	Morley,
Cioffi,	Jenkins,	Mullen,
Clarke,	Jim,	Munley,
Comer,	Jones,	Murphy,
Cooley,	Kamyk,	Murray,
Crossin,	Kelly,	Musto,
Curwood,	Klein,	Needham,
Dougherty,	Kornick,	O'Donnell, J. A.,
Doughten,	Kramer,	O'Donnell, J. P.,
Eilberg,	Lamb,	Parlante,
Filo,	Lawson,	Pashley,
Fineman,	Leonard,	Perry,
Flynn,	Limper,	Petrosky,
Forester,	Long, Wm. Jas.,	Polaski,
Frascella,	Long, Wm. Jos.,	Polen,
Fry,	Lutty,	Prendergast,
Galley,		

Reibman,
Reidenbach,
Renwick,
Riley,
Rovanseck,
Rubin,
Rudisill,
Sakulsky,
Scarcelli,
Schaaf,
Schuster,
Shelton,
Sherman,
Shupnik,
Stank,
Stone,
Sullivan, J. A.,
Sullivan, T. F.,
Taylor,
Tomasick,
Trusio,
Verona,
Walsh,
Wargo,
Welsh,
Andrews, Speaker

NOT VOTING—7

Eshback,
Farabaugh,

Gross,
McDonald,
Mihm,
Odorisio,

Willard,

So the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—108

Anderson, S. A.,	Galley,	Maxwell,	Reibman,
Arlene,	Gallagher,	McCann,	Reidenbach,
Bachman,	Gelfand,	McCormack,	Renwick,
Boies,	Gray,	McDevitt,	Riley,
Bonner,	Greenlee,	McDonald,	Rovanseck,
Branca,	Gremminger,	McKeever,	Rubin,
Breth,	Guesman,	McLaughlin,	Rudisill,
Capano,	Hamilton,	McNally,	Sakulsky,
Capitolo,	Hankins,	Meholchick,	Scarcelli,
Cauley,	Hartley,	Mills,	Schaaf,
Cianfrani,	Heavey,	Monroe,	Schuster,
Cioffi,	Irvis,	Morley,	Shelton,
Clarke,	Jenkins,	Mullen,	Sherman,
Comer,	Jim,	Munley,	Shupnik,
Cooley,	Jones,	Murphy,	Stank,
Crossin,	Kamyk,	Murray,	Stone,
Curwood,	Kelly,	Musto,	Sullivan, J. A.,
Dougherty,	Klein,	Needham,	Sullivan, T. F.,
Doughten,	Kornick,	O'Donnell, J. A.,	Taylor,
Eilberg,	Kramer,	O'Donnell, J. P.,	Tomasick,
Farabaugh,	Lamb,	Parlante,	Trusio,
Filo,	Lawson,	Pashley,	Verona,
Fineman,	Leonard,	Perry,	Walsh,
Flynn,	Limper,	Petrosky,	Wargo,
Forester,	Long, Wm. Jas.,	Polaski,	Welsh,
Frascella,	Long, Wm. Jos.,	Polen,	Yetter,
Fry,	Lutty,	Prendergast,	Andrews, Speaker

NAYS—97

Adams,	George,	King,	Seltzer,
Anderson, J. H.,	Gibb,	Kistler,	Simmons,
Auker,	Gibbons,	Knecht,	Slack,
Backenstoe,	Goldstein, J. H.,	Kooker,	Snare,
Blair,	Goldstein, M. H.,	Korns,	Steckel,
Bossert,	Goodrich,	Lee, A. M.,	Stiteler,
Bower,	Gramlich,	Lee, K. B.,	Strausser,
Bowman,	Gross,	Lippincott,	Thompson,
Buchanan,	Guthrie,	Magee,	Tompkins,
Bush,	Haudenshield,	Manbeck,	Ujobal,
Davis,	Heffner,	Markley,	Varner,
Dengler,	Helm,	Marsh,	Wall,
Dennison,	Henzel,	May,	Weidner,
Donaldson,	Hocker,	McCandless,	Wescott,
Down,	Holl,	McInroy,	Whittaker,
Edwards,	Holliday,	Merry,	Willaredt,
Elvey,	Holman,	Miller,	Williams, A. D.,
Eshback,	Horst,	O'Dell,	Williams, E. S.,
Eshleman,	Isaacs,	Ogilvie,	Wilt,
Esler,	Johnson, A. W.,	Piper,	Wood,
Ewing,	Johnson, R. P.,	Price,	Worley,
Fetterolf,	Keiser,	Pursley,	Wynd,
Foor,	Kernaghan,	Royer,	Zember,
Fox,	Kessler,	Rutherford,	Zimmerman,
Fulmer,			

NOT VOTING—5

Ashton,	Odorisio,	Stimmel,	Willard,
Mihm,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 161, entitled:

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90), further regulating the issuance of club liquor licenses and catering licenses.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—117

Adams,	Frascella,	Lutty,	Raldenbach,
Anderson, S. A.,	Gallagher,	Manbeck,	Renwick,
Arlene,	Gelfand,	Markley,	Riley,
Bachman,	Gibbons,	Maxwell,	Rovansek,
Backenstoe,	Gray,	McCann,	Rubin,
Bales,	Greenlee,	McCormack,	Scarcelli,
Bonner,	Gremminger,	McDevitt,	Schaaf,
Bossert,	Guesman,	McKeever,	Schuster,
Branca,	Hamilton,	McLaughlin,	Shelton,
Capano,	Hankins,	McNally,	Sherman,
Capitolo,	Hartley,	Meholchick,	Simmons,
Cauley,	Irvis,	Mills,	Stank,
Cianfrani,	Isaacs,	Monroe,	Steckel,
Cioffi,	Jenkins,	Morley,	Stimmel,
Clarke,	Jim,	Mullen,	Stone,
Comer,	Jones,	Murray,	Sullivan, J. A.,
Cooley,	Kamyk,	Musto,	Sullivan, T. F.,
Crossin,	Kelly,	Needham,	Taylor,
Curwood,	Kernaghan,	O'Dell,	Tomascik,
Dengler,	Klein,	O'Donnell, J. A.,	Tompkins,
Dougherty,	Kornick,	O'Donnell, J. P.,	Trusio,
Doughten,	Kramer,	Parlante,	Verona,
Eilberg,	Lamb,	Pashley,	Walsh,
Ewing,	Lawson,	Perry,	Wargo,
Farabaugh,	Leonard,	Petrosky,	Welsh,
Fetterolf,	Limper,	Piper,	Willaredt,
Filo,	Lippincott,	Polaski,	Yetter,
Fineman,	Long, Wm. Jas.,	Prendergast,	Zember,
Flynn,	Long, Wm. Jos.,	Reibman,	Andrews,
Forester,			

Speaker

NAYS—88

Anderson, J. H.,	Galley,	Kessler,	Royer,
Ashton,	George,	King,	Rudisill,
Auker,	Gibb,	Kistler,	Rutherford,
Blair,	Goldstein, J. H.,	Knecht,	Sakulsky,
Bower,	Goldstein, M. H.,	Kooker,	Seltzer,
Bowman,	Goodrich,	Korns,	Slack,
Breth,	Gramlich,	Lee, A. M.,	Stiteler,
Buchanan,	Gross,	Lee, K. B.,	Strausser,
Bush,	Guthrie,	Magee,	Thompson,
Davis,	Haudenshield,	Marsh,	Ujobal,
Dennison,	Heavey,	May,	Varner,
Donaldson,	Heffner,	McCandless,	Wall,
Down,	Helm,	McDonald,	Weidner,
Edwards,	Henzel,	McInroy,	Wescott,
Elvey,	Hocker,	Merry,	Whittaker,
Eshback,	Holl,	Miller,	Williams, A. D.,
Eshleman,	Holliday,	Munley,	Williams, E. S.,
Esler,	Holman,	Murphy,	Wilt,
Foor,	Horst,	Ogilvie,	Wood,
Fox,	Johnson, A. W.,	Polen,	Worley,
Fry,	Johnson, R. P.,	Price,	Wynd,
Fulmer,	Keiser,	Pursley,	Zimmerman,

NOT VOTING—5

Mihm,	Shupnik,	Snare,	Willard,
Odorisio,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1262, entitled:

An Act amending the "State Workmen's Insurance Fund Law" approved June 2, 1915 (P. L. 762), extending the purpose of the fund to include the insuring of employers against employer's liability and the issuance of additional medical coverage at the option of the board.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER pro tempore. The Chair recognizes the minority leader.

Mr. A. W. JOHNSON. Mr. Speaker, House bill 1262 adjusts the State Workmen's Insurance into a field of insurance that they heretofore have not been allowed to tread. Now those of us who are familiar with the State Workmen's Insurance Fund and the Workmen's Compensation Insurance activities realize that this was set up at the time when the Workmen's Compensation Act was established. The reason for doing it was, of course, so that the State would have a standard to go by as to experience of companies for purposes of determining the standards of rates and also providing an insurance company where an employer would be able to get Workmen's Compensation insurance where he might be turned down by private companies.

The idea was not to put the State into the insurance business but merely to set up some kind of a system so an employer would be able to get Workmen's Compensation insurance.

Now what these bills do is project further the field of endeavor of the State Workmen's Insurance Fund and that is not what the act was intended to do originally. One thing when you build up the State fund and have more companies in the fund, that means, of course, that the

premiums paid to the Commonwealth of Pennsylvania will be less, the tax on the gross premiums will be less, to the State coffers; also the money to the local fire companies will be less because of less money being paid in or available for the fire companies, as we understand it.

Therefore, we feel we should keep the State Fund as it was intended for this very haven for companies that cannot get insurance elsewhere and as a sort of a yardstick, then, for regulating other companies in this field.

I have the audit before me here of the State fund. I will not say that the fund is in bad shape financially, nor would I say it is in good shape financially. The assets are about \$12 million and the liabilities are about \$9 million which leaves a \$3 million reserve. Understand in the past they have paid dividends out of the fund when there were not earnings justifying the payment of dividends. But that is a policy matter. If we load down this fund with more and more liabilities, of course, eventually they could well call on the General Assembly to bail them out or they would have to unduly increase premiums on the companies that are presently insured in the fund.

Now it was never the idea of the General Assembly that the State would embark on the insurance business. As I say, it was forced on us just so the companies would have a way of finding that type of insurance. But we find that the audits of the Auditor General in this language:

"Our analysis of travel expense vouchers submitted by the Board's field personnel indicated that in many instances the explanation of work done during the specific days included solicitation of new business."

In other words, the fund has sent men all over the State soliciting business as against our present insurance companies who are paying a pretty hefty tax into the coffers of this Commonwealth, paying money to make it available to our fire companies, and it was never intended that the State embark on this business and send out solicitors to build up this Workmen's Insurance Fund.

And what these bills do is to make it easier, make it greater and will expand and broaden the insurance companies of the State fund. Now private companies are writing this type of insurance that the fund is planning on going into and this bill is not a good precedent for the State to embark further and further into the insurance business. They are taking care of what has to be taken care of right now under the act as it was set up and there is no reason for projecting them any further into the private business endeavor of insurance.

I ask the House to vote against this bill.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Cambria, Mr. Andrews.

Mr. ANDREWS. Mr. Speaker, I have no intention of debating the bill. I simply want to correct the minority leader as far as the historical background is concerned.

This pending bill has to do with amending an act of 1915. I was there. I was on the spot. This present work with the State fund was originated by a man from Tioga County who happened to be State Treasurer. I have just forgotten his name. And the idea was that since the insurance companies did not have the business to begin with that the Commonwealth was not going to present them with this whole new range. Now I admit that they gave the business to the private companies, but they were going to have a State fund and they would write all the business. But it did not work out that way.

But, if you remember, for a long time boroughs, municipalities of various kinds insured with the State fund because they got better terms and gradually the big insurance companies over the years, little by little, have undermined the position of the State fund until it is a very poor creature at the present time. And whether or not a correct accounting would show whether it was practically facing bankruptcy is another matter. But the minority leader, I believe, is wrong when he speaks of the origin and the intent and purposes of the people who were back of the act creating the State fund.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Washington, Mr. Capano.

Mr. CAPANO. Mr. Speaker, this bill is not intended to put the State on a competitive basis with the private insurance companies. The State fund is compelled to take all insurance, workmen's compensation insurance, whether it is a good risk or a bad risk; whereas the private companies can be selective.

Now this is one type of coverage in which there exists an employer-employee relationship and many times it is difficult to distinguish whether or not an employee is or is not under coverage. And this will afford better protection to those who carry workmen's compensation, especially the small employer, because they feel that they are covered in all instances whereas there are many situations which are not covered and this would give them complete coverage and protect them against those borderline cases.

And as regards the firemen, no protests have been registered with me and I do not think it is going to in any way affect or hurt them.

I believe that this is a good bill because of the additional protection which it will afford individuals and, besides, in this same bill there is also provision for additional benefit coverage which is very much needed. That will give the State fund an opportunity to extend that additional coverage where in many instances now they cannot do it because the law says six months, unless before it they make a decision allowing them to give additional coverage, medical coverage.

So I think this is a good bill and it should be passed and I ask you to vote favorably.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—117

Adams,	Gailey,	Lutty,	Reibman,
Anderson, S. A.,	Gallagher,	Maxwell,	Reidenbach,
Arlene,	Gelfand,	McCann,	Renwick,
Auker,	Gray,	McCormack,	Riley,
Bachman,	Greenlee,	McDevitt,	Rovanssek,
Blair,	Gremminger,	McDonald,	Rubin,
Boles,	Guesman,	McKeever,	Rudisill,
Bonner,	Hamilton,	McLaughlin,	Sakulsky,
Bower,	Hankins,	McNally,	Scarcelli,
Branca,	Hartley,	Meholchick,	Schaaf,
Breth,	Heavey,	Mills,	Schuster,
Capano,	Heffner,	Monroe,	Shelton,
Capitolo,	Horst,	Morley,	Sherman,
Cauley,	Irvis,	Mullen,	Shupnik,
Cianfrani,	Jenkins,	Munley,	Stank,
Clarke,	Jim,	Murphy,	Stone,
Comer,	Jones,	Murray,	Sullivan, J. A.,
Cooley,	Kamyk,	Musto,	Sullivan, T. F.,
Crossin,	Kelly,	Needham,	Taylor,
Curwood,	Kessler,	O'Donnell, J. A.,	Tomascik,
Dougherty,	Klein,	O'Donnell, J. P.,	Trusio,
Doughten,	Kramer,	Parlante,	Verona,

Eilberg,	Lamb,	Pashley,	Walsh,
Farabaugh,	Lawson,	Perry,	Wargo,
Filo,	Lee, K. B.,	Petrosky,	Welsh,
Fineman,	Leonard,	Polaski,	Williams, A. D.,
Flynn,	Limper,	Polen,	Williams, E. S.,
Forester,	Long, Wm. Jas.,	Prendergast,	Yetter,
Frascella,	Long, Wm. Jos.,	Pursley,	Andrews,
Fry,			Speaker

NAYS—88

Anderson, J. H.,	Fulmer,	King,	Seltzer,
Ashbon,	George,	Kistler,	Simmons,
Backenstoe,	Gibb,	Knecht,	Slack,
Bossert,	Gibbons,	Kooker,	Snare,
Bowman,	Goldstein, J. H.,	Korns,	Steckel,
Buchanan,	Goldstein, M. H.,	Lee, A. M.,	Stimmel,
Bush,	Goodrich,	Lippincott,	Strausser,
Cioffi,	Gramlich,	Magee,	Thompson,
Davis,	Gross,	Manbeck,	Tompkins,
Dengler,	Guthrie,	Markley,	Ujobal,
Dennison,	Haudenshield,	Marsh,	Varnier,
Donaldson,	Helm,	May,	Wall,
Down,	Henzel,	McCandless,	Weidner,
Edwards,	Hocker,	McInroy,	Wescott,
Elvey,	Holl,	Merry,	Whittaker,
Eshback,	Holliday,	Miller,	Willaredt,
Eshleman,	Holman,	O'Dell,	Wilt,
Esler,	Isaacs,	Ogilvie,	Wood,
Ewing,	Johnson, A. W.,	Piper,	Worley,
Fetterolf,	Johnson, R. P.,	Price,	Wynd,
Foor,	Keiser,	Royer,	Zember,
Fox,	Kernaghan,	Rutherford,	Zimmerman,

NOT VOTING—5

Kornick,	Odorisio,	Stiteler,	Willard,
Mihm,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1263, entitled:

An Act amending the "State Workmen's Insurance Fund Law" approved June 2, 1915 (P. L. 762), extending the period for which insurance may be issued and authorizing the sale of investments.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—129

Adams,	Galley,	Lutty,	Reidenbach,
Anderson, S. A.,	Gallagher,	Marsh,	Renwick,
Arlene,	Gelfand,	Maxwell,	Riley,
Auker,	Gray,	May,	Rovansek,
Bachman,	Greenlee,	McCann,	Rubin,
Boles,	Gremminger,	McCormack,	Rudisill,
Bonner,	Guesman,	McDevitt,	Sakulsky,
Bower,	Hamilton,	McDonald,	Scarcelli,
Branca,	Hankins,	McKeever,	Schaaf,
Breth,	Hartley,	McLaughlin,	Schuster,
Bush,	Heavey,	McNally,	Shelton,
Capano,	Heffner,	Meholchick,	Sherman,
Capitolo,	Horst,	Mills,	Shupnik,
Caulley,	Irvls,	Monroe,	Stank,
Cianfrani,	Jenkins,	Morley,	Stone,
Cioffi,	Jim,	Mullen,	Sullivan, J. A.,
Clarke,	Jones,	Munley,	Sullivan, T. F.,
Comer,	Kamyk,	Murphy,	Taylor,
Cooley,	Kelly,	Murray,	Tomascik,
Crossin,	Kessler,	Musto,	Trusio,
Curwood,	King,	Needham,	Varnier,
Dougherty,	Klein,	O'Donnell, J. A.,	Verona,
Doughten,	Knecht,	Parlante,	Walsh,

Edwards,	Kornick,	Pashley,	Wargo,
Eilberg,	Kramer,	Perry,	Welsh,
Elvey,	Lamb,	Petrosky,	Whittaker,
Farabaugh,	Lawson,	Polaski,	Williams, A. D.,
Filo,	Lee, K. B.,	Polen,	Williams, E. S.,
Fineman,	Leonard,	Prendergast,	Worley,
Flynn,	Limper,	Price,	Yetter,
Forester,	Long, Wm. Jas.,	Pursley,	Zimmerman,
Frascella,	Long, Wm. Jos.,	Reibman,	Andrews,
Fry,			Speaker

NAYS—76

Anderson, J. H.,	Fulmer,	Johnson, R. P.,	Rutherford,
Ashton,	George,	Keiser,	Seltzer,
Backenstoe,	Gibb,	Kernaghan,	Simmons,
Blair,	Gibbons,	Kistler,	Slack,
Bossert,	Goldstein, J. H.,	Kooker,	Snare,
Bowman,	Goldstein, M. H.,	Korns,	Steckel,
Buchanan,	Goodrich,	Lee, A. M.,	Stimmel,
Davis,	Gramlich,	Lippincott,	Strausser,
Dengler,	Gross,	Magee,	Thompson,
Dennison,	Guthrie,	Manbeck,	Tompkins,
Donaldson,	Haudenshield,	Markley,	Ujobal,
Down,	Helm,	McCandless,	Wall,
Eshback,	Henzel,	McInroy,	Weidner,
Eshleman,	Hocker,	Merry,	Wescott,
Esler,	Holl,	Miller,	Willaredt,
Ewing,	Holliday,	O'Dell,	Wilt,
Fetterolf,	Holman,	Ogilvie,	Wood,
Foor,	Isaacs,	Piper,	Wynd,
Fox,	Johnson, A. W.,	Royer,	Zember,

NOT VOTING—5

Mihm,	Odorisio,	Stiteler,	Willard,
O'Donnell, J. P.,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

BILLS ON FINAL PASSAGE POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on final passage of House bill No. 107, entitled:

An Act amending the act of May 22, 1933 (P. L. 851), entitled "An act fixing the pay and mileage of jurors and witnesses" requiring employers to make certain payments to employes when on jury duty in certain cases.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—107

Anderson, S. A.,	Gallagher,	Maxwell,	Reibman,
Arlene,	Gelfand,	McCann,	Reidenbach,
Bachman,	Gray,	McCormack,	Renwick,
Boles,	Greenlee,	McDevitt,	Riley,
Bonner,	Gremminger,	McDonald,	Rovansek,
Branca,	Guesman,	McKeever,	Rubin,
Breth,	Hamilton,	McLaughlin,	Sakulsky,
Capano,	Hankins,	McNally,	Scarcelli,
Capitolo,	Hartley,	Meholchick,	Schaaf,
Cianfrani,	Heavey,	Mills,	Schuster,
Cioffi,	Irvls,	Monroe,	Shelton,
Clarke,	Jenkins,	Morley,	Sherman,
Comer,	Jim,	Mullen,	Shupnik,
Cooley,	Jones,	Munley,	Stank,
Crossin,	Kamyk,	Murphy,	Stone,
Curwood,	Kelly,	Murray,	Sullivan, J. A.,
Dougherty,	Kessler,	Musto,	Sullivan, T. F.,
Doughten,	Klein,	Needham,	Taylor,
Eilberg,	Kornick,	O'Donnell, J. A.,	Tomascik,
Farabaugh,	Kramer,	O'Donnell, J. P.,	Trusio,
Filo,	Lamb,	Parlante,	Verona,
Fineman,	Lawson,	Pashley,	Walsh,

Flynn,
Forester,
Frascella,
Fry,
Galley,

Leonard,
Limper,
Long, Wm. Jas.,
Long, Wm. Jos.,
Lutty,

Perry,
Petrosky,
Polaski,
Polen,
Prendergast,

NAYS—99

Adams,
Anderson, J. H.,
Ashton,
Auker,
Backenstoe,
Blair,
Bossert,
Bower,
Bowman,
Buchanan,
Bush,
Davis,
Dengler,
Dennison,
Donaldson,
Down,
Edwards,
Elvey,
Eshback,
Eshleman,
Esler,
Ewing,
Fetterolf,
Foor,
Fox,

Fulmer,
George,
Gibb,
Gibbons,
Goldstein, J. H.,
Goldstein, M. H.,
Goodrich,
Gramlich,
Gross,
Guthrie,
Haudenschild,
Marsh,
Heffner,
Helm,
Henzel,
Hocker,
Holl,
Holliday,
Holman,
Horst,
Isaacs,
Johnson, A. W.,
Johnson, R. P.,
Kelsner,
Kernaghan,
King,

Kistler,
Knecht,
Kooker,
Korns,
Lee, A. M.,
Lee, K. B.,
Lippincott,
Magee,
Manbeck,
Markley,
May,
McCandless,
McInroy,
Merry,
Miller,
O'Dell,
Ogilvie,
Piper,
Price,
Pursley,
Royer,
Rudisill,
Rutherford,
Seltzer,

Simmons,
Slack,
Snare,
Steckel,
Stimmel,
Stiteler,
Strausser,
Thompson,
Tompkins,
Ujobai,
Varner,
Wall,
Weidner,
Wescott,
Whittaker,
Willaredt,
Williams, A. D.,
Williams, E. S.,
Wilt,
Wood,
Wynd,
Zember,
Zimmerman,
Andrews,

Speaker

NOT VOTING—4

Cauley, Mihm, Odorisio, Willard,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on final passage of House bill No. 203, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), establishing the State Auctioneer's Commission as a departmental administrative commission in the Department of Public Instruction fixing the qualifications and compensation of members and imposing certain duties on the commission.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—118

Anderson, S. A.,
Arlene,
Auker,
Bachman,
Backenstoe,
Boies,
Bonner,
Branca,
Breth,
Capano,
Capitolo,
Cauley,
Clanfrani,
Cioffi,
Clarke,
Comer,
Cooley,
Crossin,
Curwood,
Donaldson,
Dougherty,

Galley,
Gallagher,
Gelfand,
Gibb,
Gray,
Greenlee,
Gremminger,
Guesman,
Hamilton,
Hankins,
Hartley,
Heavey,
Helm,
Irvis,
Jenkins,
Jim,
Jones,
Kamyk,
Kelly,
King,
Klein,

Lutty,
Markley,
Maxwell,
McCandless,
McCann,
McCormack,
McDevitt,
McDonald,
McKeever,
McLaughlin,
Meholchick,
Mills,
Monroe,
Morley,
Mullen,
Munley,
Murphy,
Murray,
Musto,
Needham,
O'Donnell, J. A.,

Riley,
Rovanseck,
Rubin,
Rudisill,
Sakulsky,
Scarcelli,
Schaaf,
Schuster,
Shelton,
Sherman,
Shupnik,
Snare,
Stank,
Steckel,
Stimmel,
Stone,
Sullivan, J. A.,
Sullivan, T. F.,
Taylor,
Tomascik,
Trusio,

Doughten,
Ellberg,
Esler,
Filo,
Fineman,
Flynn,
Forester,
Frascella,
Fry,

Kooker,
Kornick,
Kramer,
Lamb,
Lawson,
Leonard,
Limper,
Long, Wm. Jas.,
Long, Wm. Jos.,

O'Donnell, J. P.,
Parlante,
Pashley,
Perry,
Petrosky,
Polaski,
Polen,
Prendergast,

Verona,
Walsh,
Wargo,
Welsh,
Williams, A. D.,
Wilt,
Yetter,
Andrews,

Speaker

NAYS—86

Adams,
Anderson, J. H.,
Ashton,
Blair,
Bossert,
Bower,
Bowman,
Buchanan,
Bush,
Davis,
Dengler,
Dennison,
Down,
Edwards,
Elvey,
Eshback,
Eshleman,
Farabaugh,
Fetterolf,
Foor,
Fox,
Fulmer,

George,
Gibbons,
Goldstein, J. H.,
Goldstein, M. H.,
Goodrich,
Gramlich,
Gross,
Guthrie,
Haudenschild,
Heffner,
Henzel,
Hocker,
Holl,
Holliday,
Holman,
Horst,
Isaacs,
Johnson, A. W.,
Johnson, R. P.,
Keiser,
Kernaghan,

Kessler,
Kistler,
Knecht,
Korns,
Lee, A. M.,
Lee, K. B.,
Lippincott,
Magee,
Manbeck,
Marsh,
May,
McInroy,
McNally,
Merry,
Miller,
O'Dell,
Ogilvie,
Piper,
Price,
Pursley,
Renwick,

Royer,
Rutherford,
Seltzer,
Simmons,
Slack,
Stiteler,
Strausser,
Thompson,
Tompkins,
Ujobai,
Varner,
Wall,
Weidner,
Wescott,
Whittaker,
Willaredt,
Williams, E. S.,
Wood,
Worley,
Wynd,
Zember,
Zimmerman,

NOT VOTING—8

Ewing, Odorisio, Reidenbach, Willard,
Mihm, Reibman,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

THE SPEAKER (Hiram G. Andrews) IN THE CHAIR

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on final passage of House bill No. 216, entitled:

An Act to define license and regulate resident and non-resident auctioneers and apprentice auctioneers in this Commonwealth and revising, consolidating and making the law uniform thereto creating the State Auctioneers Commission * * * and providing penalties.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—114

Anderson, S. A.,
Arlene,
Bachman,
Backenstoe,
Boies,
Bonner,
Branca,
Breth,
Capano,
Capitolo,
Cauley,
Clanfrani,
Cioffi,
Clarke,
Comer,
Cooley,
Crossin,
Curwood,

Galley,
Gallagher,
Gelfand,
Gibb,
Gray,
Greenlee,
Gremminger,
Hamilton,
Hankins,
Hartley,
Haudenschild,
Heavey,
Irvis,
Jenkins,
Jim,
Jones,
Kamyk,
Kelly,

Lutty,
Manbeck,
Markley,
Maxwell,
McCandless,
McCann,
McCormack,
McDevitt,
McDonald,
McKeever,
McLaughlin,
Meholchick,
Mills,
Monroe,
Morley,
Mullen,
Munley,
Murphy,

Reidenbach,
Riley,
Rovanseck,
Rubin,
Rudisill,
Sakulsky,
Scarcelli,
Schaaf,
Schuster,
Shelton,
Sherman,
Shupnik,
Simmons,
Snare,
Stank,
Steckel,
Stimmel,
Sullivan, J. A.,

Donaldson, Dougherty, Doughten, Ellberg, Esler, Filo, Fineman, Flynn, Foerster, Frascella, Fry,	King, Klein, Kooker, Kornick, Korns, Parlante, Kramer, Lamb, Lawson, Leonard, Limper, Long, Wm. Jos.,	Musto, Needham, O'Donnell, J. A., O'Donnell, J. P., Parlante, Pashley, Perry, Petrosky, Polaski, Polen, Prendergast,	Taylor, Thompson, Tomascik, Truslo, Verona, Williams, A. D., Wilt, Yetter, Andrews, Speaker
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NAYS—87

Adams, Anderson, J. H., Ashton, Auker, Blair, Bossert, Bower, Bowman, Buchanan, Bush, Davis, Dengler, Dennison, Down, Edwards, Elvey, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Foor,	Fox, Fulmer, George, Gibbons, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Guesman, Guthrie, Heffner, Helm, Henzel, Hocker, Holl, Holliday, Holman, Horst, Isaacs, Johnson, A. W., Johnson, R. P., Kelser,	Kernaghan, Kessler, Kistler, Knecht, Lee, A. M., Lee, K. B., Lippincott, Magee, Marsh, May, McInroy, McNally, Merry, Miller, Murray, O'Dell, Ogilvie, Piper, Price, Pursley, Renwick, Royer,	Rutherford, Seltzer, Slack, Stiteler, Strausser, Sullivan, T. F., Tompkins, Ujobal, Varner, Wall, Walsh, Weidner, Wescott, Whittaker, Willard, Williams, E. S., Wood, Worley, Wynd, Zember, Zimmerman,
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NOT VOTING—9

Gross, Long, Wm. Jos., Mihm,	Odorisio, Reibman,	Stone, Wargo,	Welsh, Willard,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on final passage of House bill No. 231, entitled:

An Act amending the "Anthracite Strip Mining Law" approved June 27, 1947 (P. L. 1095), authorizing cities, boroughs and townships to regulate and supervise the use of explosives for blasting.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—125

Anderson, S. A., Arlene, Ashton, Auker, Bachman, Boies, Bonner, Branca, Breth, Capano, Capitolo, Cauley, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood,	Gelfand, Goldstein, M. H., Gray, Greenlee, Gremminger, Guesman, Hamilton, Hankins, Hartley, Heavey, Heffner, Henzel, Holl, Holliday, Irlis, Jim, Kamyk, Kelly, Klein,	McCann, McCormack, McDevitt, McDonald, McKeever, McLaughlin, McNally, Meholchick, Miller, Mills, Monroe, Morley, Mullen, Munley, Murphy, Murray, Musto, Needham, O'Donnell, J. A.,	Riley, Rovanseck, Rubin, Rudlall, Sakulsky, Scarcelli, Schaaf, Schuster, Shelton, Sherman, Shupnik, Simmmons, Slack, Snare, Stank, Stiteler, Sullivan, J. A., Sullivan, T. F., Taylor,
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Dougherty, Doughten, Ellberg, Esler, Farabaugh, Filo, Fineman, Flynn, Foerster, Frascella, Fry, Galley, Gallagher,	Kornick, Korns, Kramer, Lamb, Lawson, Leonard, Limper, Long, Wm. Jas., Long, Wm. Jos., Lutty, Marsh, Maxwell,	O'Donnell, J. P., Parlante, Pashley, Perry, Petrosky, Piper, Polaski, Polen, Price, Reibman, Reidenbach, Renwick,	Tomascik, Truslo, Ujobal, Verona, Walsh, Wargo, Welsh, Williams, E. S., Worley, Yetter, Zimmerman, Andrews, Speaker
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NAYS—77

Adams, Anderson, J. H., Backenstoe, Blair, Bossert, Bower, Bowman, Buchanan, Bush, Davis, Dengler, Dennison, Donaldson, Down, Edwards, Elvey, Eshback, Eshleman, Ewing, Fetterolf,	Foor, Fox, Fulmer, George, Gibb, Gibbons, Goldstein, J. H., Goodrich, Gramlich, Gross, Guthrie, Haudenschild, Helm, Hocker, Holman, Horst, Isaacs, Johnson, A. W., Johnson, R. P., Ogilvie,	Kelser, Kernaghan, Kessler, King, Kistler, Knecht, Kooker, Lee, A. M., Lee, K. B., Lippincott, Magee, Manbeck, Markley, May, McCandless, McInroy, Merry, O'Dell, Ogilvie,	Pursley, Royer, Rutherford, Seltzer, Steckel, Stimmel, Thompson, Tompkins, Varner, Wall, Weidner, Wescott, Whittaker, Willard, Williams, A. D., Wilt, Wood, Wynd, Zember,
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NOT VOTING—8

Jenkins, Jones,	Mihm, Odorisio,	Prendergast, Stone,	Strausser, Willard,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on final passage of House bill No. 371, entitled:

An Act amending "The Permanent Registration Act for Cities of the Second Class, Cities of the Second Class A, Cities of the Third Class, Boroughs, Towns and Townships" approved April 29, 1937 (P. L. 487), providing for additional places of registration.

On the question,

Shall the bill pass finally?

The SPEAKER. The Chair recognizes the gentleman from Montgomery, Mr. Fetterolf.

Mr. FETTEROLF. Mr. Speaker, I rise to oppose this bill. House bill 371 would provide that the county chairmen of both major political parties could each establish three additional places for registration. I oppose this bill on the ground that the power is already in the hands of the registration commission, and also this commission, being made up of county commissioners, is made up of elected officials in whose hands, I believe, this power should rest. Also, the board of county commissioners has minority representation which assures each party of a fair say in where registration places should be located.

In the early part of the present act, the act provides that any commissioner or registrar, or any member of the commission, shall, during ordinary business hours, and

so forth, receive personal applications from persons who claim that they are entitled to be registered. This is during normal business hours as the act now states. Under the amendment provided in this bill it also specifies that one of these times of registration set aside by the county chairman shall be Friday evenings. I question whether that can be construed as an ordinary business hour. Therefore, I find that it conflicts with the present act.

I ask all of the members of this House to oppose this bill as being absolutely unnecessary.

On the question recurring,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—108

Anderson, S. A.,	Fry,	Long, Wm. Jos.,	Prendergast,
Arlene,	Galley,	Lutty,	Reibman,
Bachman	Gallagher,	Maxwell,	Reidenbach,
Botes,	Gelfand,	McCann,	Renwick,
Bonner,	Gray,	McCormack,	Riley,
Branca,	Greenlee,	McDevitt,	Rovansek,
Breth,	Gremminger,	McDonald,	Rubin,
Capano,	Guesman,	McKeever,	Sakulsky,
Capitolo,	Hamilton,	McLaughlin,	Scarcelli,
Cauley,	Hankins,	McNally,	Schaaf,
Cianfrani,	Hartley,	Meholchick,	Schuster,
Cioffi,	Heavey,	Mills,	Shelton,
Clarke,	Irvis,	Monroe,	Sherman,
Comer,	Jenkins,	Morley,	Shupnik,
Cooley,	Jim,	Mullen,	Stank,
Crossin,	Jones,	Munley,	Stone,
Curwood,	Kamyk,	Murphy,	Sullivan, J. A.,
Dougherty,	Kelly,	Murray,	Sullivan, T. F.,
Doughten,	Kistler,	Musto,	Taylor,
Edwards,	Klein,	Needham,	Tomasick,
Elberg,	Kornick,	O'Donnell, J. A.,	Trusco,
Farabaugh,	Kramer,	Parlante,	Verona,
Filo,	Lamb,	Pashley,	Walsh,
Fineman,	Lawson,	Perry,	Wargo,
Flynn,	Leonard,	Petrosky,	Welsh,
Foerster,	Limper,	Polaski,	Yetter,
Frascella,	Long, Wm. Jas.,	Polen,	Andrews,

Speaker

NAYS—97

Adams,	Fulmer,	Kessler,	Seltzer,
Anderson, J. H.,	George,	King,	Simmons,
Ashton,	Gibb,	Knecht,	Slack,
Auker,	Gibbons,	Kooker,	Snare,
Backenstoe,	Goldstein, J. H.,	Korns,	Steckel,
Blair,	Goldstein, M. H.,	Lee, A. M.,	Stimmel,
Bossert,	Goodrich,	Lee, K. B.,	Stiteler,
Bower,	Gramlich,	Lippincott,	Strausser,
Bowman,	Gross,	Magee,	Thompson,
Buchanan,	Guthrie,	Manbeck,	Tompkins,
Bush,	Haudensfield,	Markley,	Ujobal,
Davis,	Hefner,	Marsh,	Varner,
Dengler,	Helm,	May,	Wall,
Dennison,	Henzel,	McCandless,	Weidner,
Donaldson,	Hocker,	McInroy,	Wescott,
Down,	Holl,	Merry,	Whittaker,
Elvey,	Holliday,	Miller,	Willaredt,
Eshback,	Holman,	O'Dell,	Williams, A. D.,
Eshleman,	Horst,	Ogilvie,	Williams, E. S.,
Esler,	Isaacs,	Piper,	Wilt,
Ewing,	Johnson, A. W.,	Price,	Wood,
Fetterolf,	Johnson, R. P.,	Pursley,	Worley,
Foor,	Kelser,	Royer,	Wynd,
Fox,	Kernaghan,	Rutherford,	Zember,
			Zimmerman,

NOT VOTING—5

Mihm,	Odoristo,	Rudisill,	Willard,
O'Donnell, J. P.,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on final passage of House bill No. 1109, entitled:

An Act providing that the Pennsylvania Game Commission shall have exclusive power to regulate hunting in this Commonwealth prohibiting ordinances and resolutions of political subdivisions which regulate hunting therein and invalidating such ordinances and resolutions.

On the question,
Shall the bill pass finally?

The SPEAKER. The Chair recognizes the gentleman from Bucks, Mr. Williams.

Mr. A. D. WILLIAMS, Jr. Mr. Speaker, I would like to interrogate a sponsor of this bill.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Hartley, permit himself to be interrogated?

Mr. HARTLEY. I shall, Mr. Speaker.

Mr. A. D. WILLIAMS, Jr. Mr. Speaker, I would like to know from the sponsor of this bill whether or not township ordinances would regulate hunting which requires permits, which requires registration, and which requires payment of fees to townships and/or boroughs, or would they be prohibited if this act should pass?

Mr. HARTLEY. Mr. Speaker, if the townships make hunting laws, this would be forbidden, yes.

Mr. A. D. WILLIAMS, Jr. I am sorry, did I understand the gentleman to say that townships and boroughs could continue to regulate hunting?

Mr. HARTLEY. If the townships and boroughs make hunting laws, which is the prerogative of this body, this is forbidden, yes.

Mr. A. D. WILLIAMS, Jr. The gentleman's answer is "no," Mr. Speaker?

Mr. HARTLEY. Mr. Speaker, I did not hear that question.

Mr. A. D. WILLIAMS, Jr. Is the answer "no"?

Mr. HARTLEY. The gentleman had better repeat the question if he has another question.

Mr. A. D. WILLIAMS, Jr. My question is the same: Would townships and boroughs be able to regulate hunting if this bill passes?

Mr. HARTLEY. The answer is no, they cannot regulate hunting.

Mr. A. D. WILLIAMS, Jr. I thank the gentleman, Mr. Speaker.

I would like to point out to those in the House who have not thought thoroughly about this bill that here is a situation where we come into the eternal conflict between the urban and suburban areas in Pennsylvania and the rural areas.

When someone stands on the floor of this House and mentions the effect of legislation on a second class township, I am sure there are some in the House who think of a township as a sparsely settled area in a rural section of the State.

There are second class townships in many of our counties, Allegheny, Bucks, Montgomery, Delaware and Chester, to name only a few, which are urban in nature, or at least suburban in nature. I know that in Bucks County we have many townships, at least eight of them, that have local ordinances prohibiting or regulating hunting. These

ordinances have been passed because of deaths and injuries to children and adults as the result of indiscriminate shooting by hunters. There is no question, in my mind, that we must preserve as many of the rights of the hunters of Pennsylvania as possible, but I think that if you pass an act like this which would prohibit other townships and boroughs from passing local ordinances regulating hunting, and I think that is a home rule prerogative that they should have, you may negate ordinances which have been passed, and I think you will be taking a step backward in protecting the safety of the residents of Pennsylvania. I think the lines are drawn here between rural interests and suburban interests, between the rights of the hunter and the rights of the homeowners and their children.

I think this is a very dangerous piece of legislation and I hope that a sufficient number of members will vote against it to defeat it. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Hartley.

Mr. HARTLEY. Mr. Speaker, at the turn of the century this House created a game commission in the hope of preserving the state rights to make gunning laws. Therefore, there are no rights given by this body to any other body, subdivisions, or otherwise, to make these laws. This body is only maintaining its proper right to make all game laws and regulations.

If it means that they have to have safety, we overcame that in Philadelphia years ago. We have hunting down there and we still do, but we do not fire firearms. Now all they need for protection is the outlaw of firearms. If they want hunting, and we have it in Philadelphia—I can go out with a dog and hunt, I can go out with a bow and arrow and hunt. And we have a large city that overflowed its banks, as it were, and there is no question that they should be concerned about safety. You do not need gunning laws because we have that right, right here. We are the ones who make all the gunning laws and should maintain that right to do so.

I ask the members to vote for this bill.

The SPEAKER. The Chair recognizes the gentleman from Blair, Mr. Auker.

Mr. AUKER. Mr. Speaker, this bill was defeated in the House several weeks ago, I would have spoken on it at that time but it caught me unaware; it was called up quick and I did not have a chance to speak on it.

We have a game commission in this State, duly authorized by law, in whom we have placed the enforcement of the game law, the statewide law. If you are going to start a precedent when you pass laws that are beneficial and are made for the benefit of all the people in the State, all the hunters and all the fishermen in the State, and then allow those commissions in whom we have entrusted those powers to be usurped by local municipalities, I think we are getting ourselves into a very bad and a very dangerous governmental situation. I have a very strong belief in the integrity of the game commission. I have followed their activities and their enforcement of the law over a period of years, the game and the fish commission. I think, on the whole, they are doing a wonderful job. Of course, there are circumstances and instances where they do make mistakes. What law enforcement agency does not? I am pleading now to give the game commission the proper authority that they should have to regulate hunt-

ing throughout the State of Pennsylvania. It is not a matter of local home rule; that is beside the point entirely.

Let me state here for the members of the House, possibly a good many of you know it, but it is illegal to shoot off a firearm while hunting within 150 yards—not of a dwelling, but of any building. It is illegal to shoot any firearms or go hunting within the confines of any borough, first class city, second class city or third class city under the law as presently set up, and we have passed numerous laws this session to tighten the enforcement of the game commission laws, and rightfully so, and to clarify them.

Further, Mr. Speaker, I think if we are going to start this sort of thing, there are suburban townships down east, and certain suburban communities, Altoona my own city, for instance, is surrounded entirely by a second class township and there has been no call for this sort of legislation there whatsoever. Then possibly the townships up north, where the hunting and fishing are located, take it upon themselves to issue licenses and to whom they may be issued. I just want to point out to the people that go into these communities and do not live there, that if far and wide this sort of thing is carried out you may find a lot of your hunting and fishing grounds taken away from you.

I think that under the law, where a person illegally shoots a firearm, he is amply protected under the game laws today. If a person is maimed or killed, he still is protected under the game laws today, whether it occurs in a second class township or out in the vast wilds of the mountain regions. So, I see no call for voting down this kind of legislation. I think it is good. I think the game commission needs it, without local laws to control the game commission or to regulate game shooting and game law regulation throughout the State of Pennsylvania. I ask all the members of this House to vote for this bill.

Mr. DOUGHTEN. Mr. Speaker, there is no basic conflict here between the urban population and the rural population, or anything of that nature. This act merely underscores the law as it exists today. The game commission has the exclusive control of the regulation of the game seasons and the shooting of game. There is nothing in this law which would prevent any township or borough from saying, "You must not discharge a gun in our borough or our community." What we have found in Pennsylvania, and this is according to the information of Mr. Golden of the game commission, a hundred boroughs or townships have passed laws which affect the control of the game commission. If a man is arrested under those circumstances, he has to go and face a justice of the peace and then appeal. He is put to a great deal of trouble. We want to accentuate that the control of game is completely within the jurisdiction of the game commission itself.

Safety regulations which the boroughs may want to pass, they can. They can say, there will be no shooting, no discharging of firearms. There is no interference there. It simply says, "Thou shalt not interfere with the game commission's control of the game crop in the State of Pennsylvania. Thou shalt not regulate the time for shooting and you shall not say we cannot shoot ducks or certain kinds of birds within a certain area in Pennsylvania."

As far as safety measures in the discharge of firearms goes, there is no interference whatsoever.

The SPEAKER. The Chair recognizes the gentleman from Montgomery, Mr. Fetterolf.

Mr. FETTEROLF. Mr. Speaker, I would like to interrogate the gentleman from Philadelphia, Mr. Doughten.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Doughten, permit himself to be interrogated?

Mr. DOUGHTEN. I shall, Mr. Speaker.

Mr. FETTEROLF. Mr. Speaker, there is some confusion in my mind with respect to the provisions of this bill.

I live in Whitmarsh Township, Montgomery County, and a portion of this township borders on the city of Philadelphia. We have in the township two ordinances in respect to hunting. One ordinance bans hunting in the township except on land in excess of five acres and then only with the permission of the owner, written permission. The other ordinance provides that one may not use a high-powered rifle in the township of Whitmarsh. I simply want to inquire of the gentleman if these ordinances would remain in effect if this bill becomes law?

Mr. DOUGHTEN. I would separate them, Mr. Speaker, in giving my answer.

As far as the high-powered rifle is concerned, I would say that under the terms of this proposed law the ordinance would remain.

As far as restricting certain portions from hunting, I would say that ordinance would fail. It could easily be changed by substituting, "There shall be no discharge of firearms."

Mr. FETTEROLF. In other words, Mr. Speaker, it would be a re-wording of the ordinance to meet the satisfaction of the game commission?

Mr. DOUGHTEN. I would not say for the satisfaction of the game commission, but to comply with the act itself.

Mr. FETTEROLF. Then let me put one question, Mr. Speaker: If this bill becomes law, will our ordinance banning hunting in Whitmarsh except on areas of five acres or more with the written permission of the owner be negated?

Mr. DOUGHTEN. I would answer, Mr. Speaker, that that ordinance would fail.

Mr. FETTEROLF. That ordinance then would not be in effect, is that correct?

Mr. DOUGHTEN. That is right.

Mr. A. D. WILLIAMS, Jr. Mr. Speaker, it seems to me that what the gentleman from Philadelphia, Mr. Doughten, has just said is that we hunters in Philadelphia, know that we cannot hunt in Philadelphia because there is no land, there is no game, want to come out into the suburban counties of Bucks, Chester, Montgomery, Delaware, where there is game and where there is some land to hunt upon. You people out there may worry about the safety of your children, and, if you do, we say you have only one choice. You stop hunters from hunting at all by banning all discharge of firearms. That is okay with us. That is what I understand the gentleman to say.

But if you want to place reasonable restrictions on the hunters, allow the hunters to hunt, but under restrictions such as have been described by the gentleman from Montgomery, on land of a certain size where there is not the same danger. We hunters do not want that; we do not want this reasonable restriction; we want either complete freedom under the game laws or we want a complete ban of discharge of firearms.

I think this is a ridiculous position. I think just exami-

nation of it from that point of view should lead you to vote against this bill.

Mr. McCORMACK. Mr. Speaker, it is always with some hesitation that I address myself when there is a public clamor for a roll call, but, at the risk of being unpopular, I feel I ought to answer the gentleman from Bucks, Mr. Williams.

It seems to me that as an attorney, and the gentleman from Bucks is an attorney, that every provision and every section of the bill means something.

The way I read section 3 of the bill, in recalling to mind the decisions with respect to such phraseology, it is rather clear in my mind that the provision in section 3, "Nothing herein contained shall be construed to interfere with the police power of the political subdivision," that where you have a regulation, ordinance or resolution in effect that is pertaining to the police power of that subdivision—and we are dealing in areas where the police power is definitely involved—such as shooting off a rifle in the presence of children, or in certain areas, I would say that clearly, under section 3 the political subdivision would have that right. It is very hard to interpret the two sections. Section 2 says that all ordinances and resolutions affecting hunting shall be null and void, but I think you still have to separate that provision from resolutions and ordinances dealing with the police power of the political subdivision.

For that reason I say that the situation presented by the gentleman from Bucks is clearly within the orbit of an ordinance or resolution and that they would still be illegal if this bill becomes law.

Mr. A. D. WILLIAMS, Jr. Of course, lawyers always disagree, but I think the gentleman from Philadelphia, Mr. McCormack, has just restated what I stated: you can ban firearms completely, but you cannot regulate hunting locally if this bill passes.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provision of the Constitution the yeas and nays were taken and were as follows:

YEAS—129

Adams,	Frascella,	Lippincott,	Price,
Anderson, J. H.,	Fry,	Long, Wm. Jas.,	Pursley,
Anderson, S. A.,	Fulmer,	Long, Wm. Jos.,	Reibman,
Arlene,	Galley,	Lutty,	Reidenbach,
Auker,	Gelfand,	Markley,	Renwick,
Backenstoe,	Gibbons,	Marsh,	Riley,
Bonner,	Goodrich,	Maxwell,	Rovansek,
Bower,	Gray,	May,	Rubin,
Branca,	Greenlee,	McCann,	Rudisill,
Breth,	Gremminger,	McCormack,	Sakulsky,
Bush,	Guesman,	McDevitt,	Scarcelli,
Capano,	Hankins,	McDonald,	Schaaf,
Capitolo,	Hartley,	McInroy,	Schuster,
Cauley,	Heavey,	McKeever,	Shelton,
Cianfrani,	Heffner,	Meholchick,	Sherman,
Cioffi,	Holliday,	Miller,	Shupnik,
Clarke,	Holman,	Mills,	Stank,
Comer,	Irlis,	Monroe,	Steckel,
Cooley,	Jim,	Morley,	Stimmel,
Crossin,	Jones,	Mullen,	Stiteler,
Ourwood,	Kamyk,	Munley,	Stone,
Dengler,	Kelly,	Musto,	Sullivan, J. A.,
Dougherty,	Kessler,	Needham,	Sullivan, T. F.,
Doughten,	King,	O'Donnell, J. A.,	Taylor,
Edwards,	Klein,	O'Donnell, J. P.,	Trusio,
Eilberg,	Korns,	Parlante,	Verona,
Elvey,	Kramer,	Pashley,	Wargo,
Farabaugh,	Lamb,	Perry,	Welsh,
Fineman,	Lawson,	Petrosky,	Wescott,

Flynn, Foerster, Fox,	Lee, K. B., Leonard, Limper,	Polaski, Polen, Prendergast,	Whittaker, Williams, E. S., Wynd, Yetter,
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NAYS—71

Ashton, Bachman, Blair, Bowman, Buchanan, Davis, Dennison, Donaldson, Down, Eshback, Eshleman, Esler, Ewing, Fetterolf, Filo, Foor, Gallagher, George,	Gibb, Goldstein, J. H., Goldstein, M. H., Gramlich, Gross, Guthrie, Hamilton, Haudenshield, Helm, Henzel, Hocker, Holl, Horst, Isaacs, Jenkins, Johnson, A. W., Johnson, R. P., Kelser,	Kernaghan, Kistler, Knecht, Kooker, Lee, A. M., Magee, Manbeck, McCandless, McNally, Merry, Murphy, O'Dell, Ogilvie, Piper, Rutherford, Seltzer, Simmons, Slack,	Snare, Strausser, Thompson, Tomascik, Tompkins, Ujobal, Varner, Wall, Weidner, Willaredt, Williams, A. D., Wilt, Wood, Worley, Zember, Zimmerman, Andrews, Speaker
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NOT VOTING 10

Boles, Bossert, Kornick,	McLaughlin, Mihm, Murray,	Odoristo, Royer,	Walsh, Willard,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on final passage of House bill No. 1172, entitled:

An Act amending the act of September 26, 1951 (P. L. 1536), entitled "An act providing for the licensure and regulation of commercial boarding homes for the aged * * *" redefining certain terms imposing powers and duties on the Department of Public Welfare and providing for provisional licenses.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—167

Anderson, J. H., Anderson, S. A., Arlene, Ashton, Auker, Bachman, Backenstoe, Bonner, Bowman, Branca, Breth, Buchanan, Capano, Capitolo, Cauley, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Donaldson, Dougherty, Doughten,	Gelfand, Gibb, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Gray, Greenlee, Gremminger, Guesman, Guthrie, Hamilton, Hankins, Hartley, Haudenshield, Heavey, Heffner, Helm, Henzel, Hocker, Holl, Holliday, Irviss, Jenkins, Jim, Johnson, A. W.,	Leonard, Limper, Long, Wm. Jas., Long, Wm. Jos., Lutty, Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McDevitt, McDonald, McInroy, McKeever, McLaughlin, McNally, Meholchick, Miller, Mills, Monroe, Morley, Mullen, Munley, Murray,	Royer, Rubin, Rudisill, Rutherford, Sakulsky, Scarcelli, Schuster, Seltzer, Shelton, Sherman, Shupnik, Slack, Snare, Stank, Steckel, Stimmel, Stiteler, Stone, Strausser, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomascik, Ujobal,
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Down, Edwards, Eilberg, Eshback, Eshleman, Esler, Farabaugh, Fetterolf, Fineman, Flynn, Foerster, Frascella, Fry, Fulmer, Galley, Gallagher,	Johnson, R. P., Jones, Kamyk, Kelser, Kelly, Kessler, King, Klein, Knecht, Kooker, Kornick, Korns, Kramer, Lamb, Lawson, Lee, A. M.,	Musto, Needham, O'Donnell, J. P., Ogilvie, Parlante, Pashley, Perry, Petrosky, Polaski, Polen, Prendergast, Reibman, Reidenbach, Renwick, Riley, Rovanseck,	Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Whittaker, Willaredt, Williams, A. D., Williams, E. S., Wilt, Wood, Worley, Andrews, Speaker
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NAYS—33

Adams, Blair, Bower, Bush, Dengler, Dennison, Elvey, Ewing, Foor,	Fox, George, Gibbons, Holman, Horst, Isaacs, Kernaghan, Kistler,	Lee, K. B., Lippincott, Magee, McCormack, Merry, Murphy, O'Dell, O'Donnell, J. A.,	Piper, Price, Pursley, Tompkins, Varner, Wynd, Zember, Zimmerman,
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NOT VOTING—10

Boles, Bossert, Filo,	Gross, Mihm, Odoristo,	Simmons, Trusio,	Willard, Yetter,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on final passage of House bill No. 1216, entitled:

An Act authorizing the State Treasurer under certain conditions to transfer sums of money between the General Fund and certain funds and subsequent transfers of equal sums between such funds and making appropriations necessary to effect such transfers.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—107

Anderson, S. A., Arlene, Bachman, Bonner, Branca, Breth, Capano, Capitolo, Cauley, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Donaldson, Dougherty, Doughten,	Gallagher, Gelfand, Gray, Greenlee, Gremminger, Guesman, Hamilton, Hankins, Hartley, Heavey, Irviss, Jenkins, Jim, Jones, Kamyk, Kelly, Klein, Kornick, Kramer, Lamb, Lawson, Leonard, Limper, Long, Wm. Jas.,	McCann, McCormack, McDevitt, McDonald, McKeever, McLaughlin, McNally, Meholchick, Mills, Monroe, Morley, Mullen, Munley, Murphy, Murray, Musto, Needham, O'Donnell, J. A., O'Donnell, J. P., Parlante, Pashley, Perry, Petrosky, Polaski,	Reidenbach, Renwick, Riley, Rovanseck, Rubin, Rudisill, Sakulsky, Scarcelli, Schadaf, Schuster, Shelton, Sherman, Shupnik, Stank, Stone, Sullivan, J. A., Sullivan, T. F., Taylor, Tomascik, Trusio, Verona, Walsh, Wargo, Welsh,
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Frascella, Fry, Galley,	Long, Wm. Jos., Lutty, Maxwell,	Polen, Prendergast, Reibman,	Yetter, Andrews, Speaker
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NAYS—98

Adams, Anderson, J. H. Ashton, Auker, Backenstoe, Blair, Bossert, Bower, Bowman, Bush, Davis, Dengler, Dennison, Donaldson, Down, Edwards, Eshback, Elvey, Eshleman, Esler, Ewing, Fetterolf, Foor, Fox, Fulmer,	George, Gibb, Gibbons, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Gross, Guthrie, Haudenschild, Heffner, Helm, Henzel, Hocker, Holl, Holliday, Holman, Horst, Isaacs, Johnson, A. W., Johnson, R. P., Kelser, Kernaghan, Kessler,	King, Kistler, Knecht, Kooker, Korns, Lee, A. M., Lee, K. B., Lippincott, Magee, Manbeck, Markley, Marsh, May, McCandless, McInroy, Merry, Miller, O'Dell, Ogilvie, Piper, Price, Pursley, Royer, Rutherford,	Seltzer, Simmons, Slack, Snare, Steckel, Stimmel, Stiteler, Strausser, Thompson, Tompkins, Ujober, Varner, Wall, Weidner, Wescott, Whittaker, Willaredt, Williams, A. D., Williams, E. S., Wilt, Wood, Worley, Wynd, Zember, Zimmerman,
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NOT VOTING—5

Boles, Buchanan,	Mihm,	Odorisio,	Willard,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on final passage of Senate bill No. 297, entitled:

An Act amending the act of June 25, 1947 (P. L. 956), entitled "An act to ascertain and appoint the fees to be received by the clerks of the courts of oyer and terminer and quarter sessions of the Commonwealth in counties of the third fourth fifth sixth seventh and eighth classes," increasing certain fees and making certain editorial corrections.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—182

Adams, Anderson, J. H. Anderson, S. A., Arlene, Ashton, Bachman Backenstoe, Blair, Boles, Bonner, Bower, Bowman, Branca, Breth, Buchanan, Capano, Capitolo, Cioffi, Clarke, Comer,	Gallagher, Gelfand, George, Gibbons, Goldstein, J. H., Goodrich, Gramlich, Gray, Greenlee, Gremminger, Guesman, Guthrie, Hamilton, Hankins, Hartley, Haudenschild, Heavey, Heffner, Helm, Henzel,	Long, Wm. Jas., Long, Wm. Jos., Lutty, Magee, Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McCormack, McDevitt, McDonald McInroy, McKeever, McLaughlin, McNally, Meholchick, Merry,	Rovansek, Royer, Rubin, Rudisill, Rutherford, Sakulsky, Scarcelli, Schaaaf, Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Slack, Snare, Steckel, Stimmel, Stiteler, Stone,
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Cooley, Crossin, Curwood, Davis, Dengler, Donaldson, Doughten, Down, Edwards, Ellberg, Elvey, Eshback, Eshleman, Esler, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Flynn, Foerster, Foor, Fox, Frascella, Fry, Fulmer,	Hocker, Holliday, Irvia, Isaacs, Jenkins, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kelser, Kelly, Kernaghan, Kessler, King, Klein, Knecht, Kooker, Korns, Kramer, Lamb, Lawson, Lee, A. M., Lee, K. B., Leonard, Limper, Lippincott,	Miller, Mills, Monroe, Morley, Mullen, Munley, Murphy, Murray, Musto, Needham, O'Dell, O'Donnell, J. A., Ogilvie, Parlante, Pashley, Perry, Petrosky, Piper, Polaski, Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick, Riley,	Strausser, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomasclk, Traslo, Ujober, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Whittaker, Willaredt, Williams, A. D., Williams, E. S., Wood, Wynd, Yetter, Zimmerman, Andrews, Speaker
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NAYS—20

Auker, Bossert, Bush, Cauley, Cianfrani,	Dennison, Galley, Gibb, Goldstein, M. H., Gross,	Holl, Holman, Horst, Kistler, Kornick,	O'Donnell, J. P., Varner, Wilt, Worley, Zember,
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NOT VOTING—8

Dougherty, Jim,	Mihm, Odorisio,	Polen, Stank,	Tompkins, Willard,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

BIRTHDAY

The SPEAKER. I understand it is the birthday of the gentleman from Montgomery, Mr. Fry. Everyone stand up and sing to him "Happy Birthday."

Mr. McCANN. Mr. Speaker, we have been at this steadily. I would like to recommend that everyone get up for a "seventh-inning stretch" and with a big smile sing "Happy Birthday," because we have three more hours ahead of us.

(Members joined in singing "Happy Birthday," led by Mr. Dengler.)

The SPEAKER. The Chair recognizes the gentleman from Montgomery, Mr. Fry.

Mr. FRY. Thank you, Mr. Speaker, and thank you, ladies and gentlemen. It is certainly a pleasure to celebrate my birthday here in this House with some of the finest people I have ever known in my life. Thank you.

Mr. HELM IN THE CHAIR

Mr. McCANN. Mr. Speaker, I ask permission now to turn to page 23, bills on third reading, I call up House bill 1359, printer's No. 605.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1359, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), excepting certain clubs from the quota limitations.

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—35

Adams,	Greenlee,	McLaughlin,	Slack,
Backenstoe,	Gremminger,	Monroe,	Stank,
Boles,	Gross,	Mullen,	Steckel,
Branca,	Hamilton,	O'Donnell, J. P.,	Stimmel,
Cauley,	Irvie,	Polaski,	Stone,
Cloffi,	Klein,	Reidenbach,	Ujobal,
Clarke,	Markley,	Riley,	Walsh,
Doughten,	McCormack,	Rubin,	Andrews,
Gray,	McDevitt,	Shelton,	Speaker

NAYS—164

Anderson, J. H.,	Fulmer,	Korns,	Prendergast,
Anderson, S. A.,	Galley,	Kramer,	Price,
Arlene,	Gallagher,	Lamb,	Pursley,
Ashton,	Gelfand,	Lawson,	Reibman,
Auker,	George,	Lee, A. M.,	Renwick,
Bachman,	Gibb,	Leonard,	Rovansek,
Blair,	Gibbons,	Limper,	Royer,
Bonner,	Goldstein, J. H.,	Lippincott,	Rudisill,
Bossert,	Goldstein, M. H.,	Long, Wm. Jas.,	Rutherford,
Bower,	Goodrich,	Long, Wm. Jos.,	Sakulsky,
Bowman,	Gramlich,	Lutty,	Schaaf,
Breth,	Guesman,	Magee,	Schuster,
Buchanan,	Guthrie,	Manbeck,	Sherman,
Bush,	Hankins,	Marsh,	Shupnik,
Capano,	Hartley,	Maxwell,	Simmons,
Capitolo,	Haudenshield,	May,	Snare,
Cianfrani,	Heavey,	McCandless,	Stiteler,
Cooley,	Heffner,	McCann,	Strausser,
Curwood,	Helm,	McDonald,	Sullivan, J. A.,
Davis,	Henzel,	McInroy,	Sullivan, T. F.,
Dengler,	Hooker,	McKeever,	Taylor,
Dennison,	Holl,	McNally,	Thompson,
Donaldson,	Holliday,	Meholchick,	Tomasick,
Dougherty,	Holman,	Merry,	Trusio,
Down,	Horst,	Miller,	Varner,
Edwards,	Isaacs,	Mills,	Verona,
Elvey,	Jenkins,	Morley,	Wall,
Eshback,	Jim,	Munley,	Weldner,
Eshleman,	Johnson, A. W.,	Murphy,	Welsh,
Esler,	Johnson, R. P.,	Murray,	Wescott,
Ewing,	Jones,	Musto,	Whittaker,
Farabaugh,	Kamyk,	Needham,	Willaredt,
Fetterolf,	Kelser,	O'Dell,	Williams, A. D.,
Filo,	Kelly,	O'Donnell, J. A.,	Williams, E. S.,
Fineman,	Kernaghan,	Ogilvie,	Wilt,
Flynn,	Kessler,	Parlante,	Wood,
Foerster,	King,	Pashley,	Worley,
Foor,	Kistler,	Perry,	Wynd,
Fox,	Knecht,	Petrosky,	Yetter,
Frascella,	Kooker,	Piper,	Zember,
Fry,	Kornick,	Polen,	Zimmerman,

NOT VOTING—11

Comer,	Lee, K. B.,	Scarcelli,	Wargo,
Crossin,	Mihm,	Seltzer,	Willard,
Ellberg,	Odorisio,	Tompkins,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Mr. McCANN. Mr. Speaker, I request permission now to turn to page 26, bills on third reading, and I call up House bill 1519.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1519, entitled:

An Act amending "The General County Assessment Law," approved May 22, 1933 (P. L. 853), providing that cities of the second class and school districts of the first

class A in second class counties shall not be required to segregate a portion of the amount of certain taxes paid.

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—184

Adams,	Frascella,	Lee, K. B.,	Royer,
Anderson, J. H.,	Fry,	Leonard,	Rubin,
Anderson, S. A.,	Fulmer,	Limper,	Rudisill,
Arlene,	Galley,	Long, Wm. Jas.,	Rutherford,
Ashton,	Gallagher,	Long, Wm. Jos.,	Sakulsky,
Auker,	Gelfand,	Lutty,	Scarcelli,
Bachman,	Gibb,	Manbeck,	Schuster,
Backenstoe,	Goldstein, J. H.,	Markley,	Seltzer,
Boies,	Goodrich,	Marsh,	Shelton,
Bonner,	Gramlich,	Maxwell,	Sherman,
Bossert,	Gray,	May,	Shupnik,
Bower,	Greenlee,	McCann,	Simmons,
Bowman,	Gremminger,	McDevitt,	Slack,
Branca,	Guesman,	McInroy,	Snare,
Breth,	Guthrie,	McKeever,	Stank,
Buchanan,	Hamilton,	McLaughlin,	Steckel,
Bush,	Haudenshield,	McNally,	Stiteler,
Capano,	Heavey,	Meholchick,	Stone,
Capitolo,	Heffner,	Merry,	Strausser,
Cianfrani,	Helm,	Miller,	Sullivan, J. A.,
Cooley,	Hocker,	Mills,	Sullivan, T. F.,
Cloffi,	Holl,	Monroe,	Taylor,
Clarke,	Holliday,	Morley,	Thompson,
Cooley,	Holman,	Mullen,	Tomasick,
Crossin,	Horst,	Munley,	Tompkins,
Davis,	Irvie,	Murphy,	Trusio,
Dengler,	Jenkins,	Murray,	Ujobal,
Dennison,	Jim,	Musto,	Varner,
Donaldson,	Johnson, A. W.,	Needham,	Verona,
Dougherty,	Johnson, R. P.,	O'Donnell, J. A.,	Wall,
Doughten,	Jones,	O'Donnell, J. P.,	Walsh,
Down,	Kamyk,	Ogilvie,	Wargo,
Edwards,	Kelser,	Parlante,	Weidner,
Ellberg,	Kelly,	Pashley,	Welsh,
Elvey,	Kernaghan,	Perry,	Wescott,
Eshback,	Kessler,	Petrosky,	Willaredt,
Eshleman,	King,	Piper,	Williams, A. D.,
Esler,	Kistler,	Polaski,	Williams, E. S.,
Ewing,	Klein,	Polen,	Wilt,
Farabaugh,	Knecht,	Price,	Wood,
Fetterolf,	Kooker,	Pursley,	Worley,
Filo,	Korns,	Reibman,	Wynd,
Fineman,	Kramer,	Reidenbach,	Yetter,
Flynn,	Lamb,	Renwick,	Zember,
Foerster,	Lawson,	Riley,	Andrews,
Foor,	Lee, A. M.,	Rovansek,	Speaker
Fox,			

NAYS—10

Blair,	Isaacs,	McCandless,	Whittaker,
George,	Lippincott,	O'Dell,	Zimmerman,
Gross,	Magee,		

NOT VOTING—16

Comer,	Hankins,	McCormack,	Prendergast,
Curwood,	Hartley,	McDonald,	Schaaf,
Gibbons,	Henzel,	Mihm,	Stimmel,
Goldstein, M. H.,	Kornick,	Odorisio,	Willard,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

INTERROGATION

Mr. A. W. JOHNSON asked and obtained unanimous consent to interrogate the majority leader at this time.

Mr. A. W. JOHNSON. Mr. Speaker, many of the members have asked me this question and I want to put it

to the majority leader. In view of the fact that he says we have two or three more hours to go and due to the fact that Senator Weiner says we are going to be out of here in several weeks, and we are going to be here tomorrow and four days the following week, does the majority leader have in mind a sine die adjournment date and does he have a resolution ready to put in for adjournment sine die?

Mr. McCANN. Mr. Speaker, I would be most pleased to answer following the bi-partisan committee meetings on education next Monday and Tuesday. I will be most pleased to answer either in the affirmative or negative on whether I will have a sine die resolution and to give you the date of it.

Mr. A. W. JOHNSON. In other words, you are deferring answering that question until next Tuesday's meeting of the combined committee on education; is that correct?

Mr. McCANN. I am deferring the answering of the question as to the date of the sine die resolution, yes.

Mr. A. W. JOHNSON. Then by next Wednesday, if this same question was posed to the gentleman, he would be able to answer one way or the other, if that right?

Mr. McCANN. Mr. Speaker, that is if the Governor's Committee on Education will answer some questions for me which I will have to know in order to operate this House. I am sure you are well aware of that—the revenue raising measures, they are called.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1522, entitled:

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), removing maximum limitations upon dues assessed on townships by the State Association of Township Supervisors.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—188

Anderson, J. H.,	Fulmer,	Lippincott,	Rovansek,
Anderson, S. A.,	Gallagher,	Long, Wm. Jas.,	Royer,
Arlene,	Gelfand,	Long, Wm. Jos.,	Rubin,
Ashton,	George,	Lutty,	Rudisill,
Bachman,	Gibb,	Magee,	Sakulsky,
Backenstoe,	Gibbons,	Manbeck,	Scarcelli,
Blair,	Goldstein, J. H.,	Markley,	Schaaf,
Boles,	Goodrich,	Marsh,	Schuster,
Bonner,	Gramlich,	Maxwell,	Seltzer,
Bossert,	Gray,	May,	Shelton,
Bower,	Greenlee,	McCandless,	Sherman,
Bowman,	Gremminger,	McCann,	Simmons,
Branca,	Guesman,	McCormack,	Slack,
Breth,	Guthrie,	McDevitt,	Snare,
Buchanan,	Hamilton,	McDonald,	Stank,
Bush,	Hankins,	McInroy,	Steckel,
Capano,	Hartley,	McKeever,	Stimmel,
Cauley,	Haudenschild,	McLaughlin,	Stiteler,
Cianfrani,	Heavey,	McNally,	Stone,
Cioffi,	Heffner,	Meholchick,	Strusser,
Clarke,	Helm,	Merry,	Sullivan, J. A.,
Comer,	Holl,	Mills,	Sullivan, T. F.,
Cooley,	Holman,	Monroe,	Taylor,
Crossin,	Horst,	Morley,	Thompson,
Curwood,	Irviss,	Mullen,	Tomascik,
Davis,	Jenkins,	Munley,	Tompkins,
Dengler,	Jim,	Murphy,	Trusto,

Donaldson,
Dougherty,
Doughten,
Down,
Edwards,
Ellberg,
Elvey,
Eshback,
Esler,
Ewing,
Farabaugh,
Fetterolf,
Filo,
Fineman,
Flynn,
Foerster,
Foor,
Fox,
Fracella,
Fry,

Johnson, A. W.,
Johnson, R. P.,
Jones,
Kamyk,
Kelser,
Kelly,
Kernaghan,
Kessler,
King,
Kistler,
Klein,
Knecht,
Kooker,
Kornick,
Kramer,
Lamb,
Lawson,
Lee, A. M.,
Leonard,
Limper,

Murray,
Musto,
Needham,
O'Dell,
O'Donnell, J. A.,
O'Donnell, J. P.,
Ogilvie,
Parlante,
Perry,
Pashley,
Petrosky,
Polaski,
Polen,
Prendergast,
Price,
Pursley,
Reibman,
Reidenbach,
Renwick,
Riley,

Ujobai,
Verona,
Wall,
Walsh,
Wargo,
Weldner,
Welsh,
Wescott,
Whittaker,
Willaredt,
Williams, A. D.,
Williams, E. S.,
Wilt,
Wood,
Worley,
Wynd,
Yetter,
Zember,
Zimmerman,
Andrews,
Speaker

NAYS—15

Adams,
Auker,
Dennison,
Eshleman,

Goldstein, M. H.,
Gross,
Hocker,
Holliday,
Isaacs,
Korns,
Lee, K. B.,
Miller,

Piper,
Rutherford,
Varner,

NOT VOTING—7

Capitolo,
Gailey,

Henzel,
Mihm,
Odorisio,
Shupnik,

Willard,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1528, entitled:

An Act amending "The Third Class City Code," approved June 23, 1931 (P. L. 932), further regulating conditions under which firemen may be called out and assigned to continuous duty.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Dauphin, Mr. Bowman.

Mr. BOWMAN. Mr. Speaker, I would like to interrogate one of the sponsors of this bill.

The SPEAKER pro tempore. Will the gentleman from Washington, Mr. Flynn, permit himself to be interrogated?

Mr. FLYNN. I shall, Mr. Speaker.

Mr. BOWMAN. Mr. Speaker, in this bill that is before us, I note that the phrase "riots serious conflagration times of war public celebrations or other such events or situations" have been eliminated. Now, would the gentleman advise me whether he believes that the general language of the bill covers each and every one of these situations?

Mr. FLYNN. Does the gentleman mean as amended?

Mr. BOWMAN. Yes, the proposed amendments. Let us take riots. Is it the intent of this bill that firemen can no longer be called out to handle riots, to participate in the quelling of riots?

Mr. FLYNN. No. It does not prohibit them from being

called out. They can be called out when the action is in the manner of a police force, but the bill does provide that they will be compensated for it.

Mr. BOWMAN. Mr. Speaker, I am sorry but I could not hear the gentleman's answer.

Mr. FLYNN. In the event that the firemen are called out by the fire chief to act as policemen, as actually sometimes has happened. They have been called out to do police duty and, therefore, in this provision they would be compensated with extra pay.

Mr. BOWMAN. I am again sorry. I do not think I heard, or, at least, I did not understand the full answer. Did I understand the gentleman to say that in a riot firemen can or cannot be called out?

Mr. BOWMAN. Where do you read that in the amendments?

Mr. FLYNN. On page 3, beginning of line 16, it says:

"In the case of emergencies other than serious fires or conflagrations endangering life and property or national emergencies when the members of the fire force are called to continuous duty members of council shall provide for the payment of extra compensation."

Mr. BOWMAN. Why has the term "riot" been deleted from the bill—from the existing law, rather?

Mr. FLYNN. My interpretation of it would be this, Mr. Speaker, riot would take in quite a large field. There have been cases on record whereby in the case of a strike firemen have been called out to do police duty, and that, in my opinion, is the reason the word "riot" is eliminated.

Mr. BOWMAN. Under the existing law they can call them out; even under this bill they can call them out, if it endangers the life and property of the citizens?

Mr. FLYNN. All it says, in effect, is that they shall be compensated extra for doing police duties.

Mr. BOWMAN. I have no objections to the pay provisions of this bill. I am merely concerned whether the firemen, in the light of this amendatory law, if it becomes law, would refuse to do riot duty because of the way this bill has been drafted?

Mr. FLYNN. My interpretation of the bill would be that it would be at the discretion of the fire chief. He has the right and power to order them out.

Under the provisions my interpretation would be that they are now subject to continuous duty. It does not change any of the provisions of the law therein. All it does is make sure that they are being compensated for doing police work.

Mr. BOWMAN. I thank the gentleman.

Mr. Speaker, I want to repeat that I have no objections to this bill to the extent that it states that for certain extra duties firemen are to be paid extra compensation for those duties. I have no quarrel with that whatsoever.

I do seriously question, however, the draftmanship of this bill with respect to the one point on which I was making my interrogation. It seems to me that as a matter of statutory construction, if one examines the present law and examines this amendatory law, there is a serious doubt in my mind whether firemen can properly be called out with respect to riot duty, without regard to the question of whether they should or should not receive extra compensation therefor. It seems to me that

particularly for riots the use of fire hoses is perhaps the most effective means of quelling riots, that is, high pressure fire lines. If this bill could possibly be interpreted as not permitting firemen to participate in the quelling of riots, then I say it is bad legislation. I think, as drafted, it is bad legislation and I urge you to oppose it unless the bill is amended to clarify this point.

On the question recurring,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—139

Adams,	Fox,	Limper,	Reibman,
Anderson, S. A.,	Frascella,	Long, Wm. Jas.,	Reidenbach,
Arlene,	Fry,	Long, Wm. Jos.,	Renwick,
Auker,	Galley,	Lutty,	Riley,
Bachman,	Gallagher,	Markley,	Rovansek,
Backenstoe,	Gelfand,	Maxwell,	Rubin,
Boles,	Goldstein, M. H.,	McCann,	Rudisill,
Bonner,	Gramlich,	McCormack,	Rutherford,
Bower,	Gray,	McDevitt,	Sakulsky,
Branca,	Greenlee,	McDonald,	Scarcelll,
Breth,	Gremminger,	McKeever,	Schaaf,
Buchanan,	Guesman,	McLaughlin,	Schuster,
Bush,	Hamilton,	McNally,	Shelton,
Capano,	Hankins,	Meholchick,	Sherman,
Capitolo,	Hartley,	Miller,	Shupnik,
Cauley,	Heavey,	Mills,	Snare,
Cianfrani,	Heffner,	Monroe,	Stank,
Cioffi,	Henzel,	Morley,	Steckel,
Clarke,	Hocker,	Mullen,	Stimmel,
Comer,	Holliday,	Munley,	Stiteler,
Cooley,	Iris,	Murphy,	Sullivan, J. A.,
Crossin,	Isaacs,	Murray,	Sullivan, T. F.,
Curwood,	Jenkins,	Musto,	Taylor,
Dennison,	Jim,	Needham,	Thompson,
Dougherty,	Jones,	O'Donnell, J. A.,	Tomasick,
Doughten,	Kelly,	O'Donnell, J. P.,	Trusio,
Down,	Kessler,	Parlante,	Varner,
Eilberg,	King,	Pashley,	Verona,
Eshback,	Klein,	Perry,	Walsh,
Eshleman,	Knecht,	Petrosky,	Wargo,
Farabaugh,	Kornick,	Polaski,	Welsh,
Filo,	Kramer,	Polen,	Whittaker,
Fineman,	Lamb,	Prendergast,	Worley,
Flynn,	Lawson,	Price,	Yetter,
Foerster,	Leonard,	Pursley,	

NAYS—65

Anderson, J. H.,	Gibbons,	Lee, K. B.,	Strausser,
Ashton,	Goldstein, J. H.,	Lippincott,	Tompkins,
Blair,	Goodrich,	Magee,	Ujobai,
Bossert,	Gross,	Manbeck,	Wall,
Bowman,	Guthrie,	Marsh,	Weidner,
Davis,	Haudensfield,	May,	Wescott,
Dengler,	Helm,	McCandless,	Willaredt,
Donaldson,	Holman,	McInroy,	Williams, A. D.,
Edwards,	Horst,	Merry,	Williams, E. S.,
Elvey,	Johnson, A. W.,	O'Dell,	Wilt,
Esler,	Johnson, R. P.,	Oglvie,	Wood,
Ewing,	Kelser,	Piper,	Wynd,
Fetterolf,	Kernaghan,	Royer,	Zember,
Foor,	Kistler,	Seltzer,	Zimmerman,
Fulmer,	Kooker,	Simmons,	Andrews,
George,	Korns,	Slack,	Speaker
Gibb,	Lee, A. M.,		

NOT VOTING—6

Holl,	Mihm,	Stone,	Willard,
Kamyk,	Odorisio,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1530, entitled:

An Act providing for the destruction of certain records and papers upon petition in townships of the first class.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Adams,	Frascella,	Lawson,	Reidenbach,
Anderson, J. H.,	Fry,	Lee, A. M.,	Renwick,
Anderson, S. A.,	Fulmer,	Lee, K. B.,	Riley,
Arlene,	Galley,	Leonard,	Rovansek,
Ashton,	Gallagher,	Limper,	Royer,
Auker,	Gelfand,	Lippincott,	Rubin,
Bachman,	George,	Long, Wm. Jas.,	Rudisill,
Backenstoe,	Gibb,	Long, Wm. Jos.,	Rutherford,
Blair,	Gibbons,	Lutty,	Sakulsky,
Boles,	Goldstein, M. H.,	Magee,	Scarcell,
Bonner,	Goldstein, J. H.,	Manbeck,	Schaaf,
Bossert,	Goodrich,	Markley,	Schuster,
Bower,	Gramlich,	Marsh,	Seltzer,
Bowman,	Gray,	Maxwell,	Shelton,
Branca,	Greenlee,	May,	Sherman,
Breth,	Gremminger,	McCandless,	Shupnik,
Buchanan,	Gross,	McCann,	Simmons,
Bush,	Guesman,	McCormack,	Slack,
Capano,	Guthrie,	McNally,	Snare,
Capitolo,	Hamilton,	McDonald,	Stank,
Cauley,	Hankins,	McInroy,	Steckel,
Cianfrani,	Hartley,	McKeever,	Stimmel,
Cioffi,	Haudenshield,	McLaughlin,	Stiteler,
Clarke,	Heavey,	McNally,	Stone,
Comer,	Heffner,	Meholchick,	Strausser,
Cooley,	Helm,	Merry,	Sullivan, J. A.,
Crossin,	Henzel,	Miller,	Sullivan, T. F.,
Curwood,	Hocker,	Mills,	Taylor,
Davis,	Holliday,	Monroe,	Thompson,
Dengler,	Holman,	Morley,	Tomasck,
Dennison,	Horst,	Mullen,	Trusio,
Donaldson,	Irvie,	Munley,	Ujobal,
Dougherty,	Isaacs,	Murphy,	Varnier,
Doughten,	Jenkins,	Murray,	Verona,
Down,	Johnson, A. W.,	Musto,	Wall,
Edwards,	Johnson, R. P.,	Needham,	Walsh,
Eilberg,	Jones,	O'Dell,	Wargo,
Elvey,	Kamyk,	O'Donnell, J. A.,	Weidner,
Eshback,	Kelser,	O'Donnell, J. P.,	Welsh,
Eshleman,	Kelly,	Ogilvie,	Wescott,
Esler,	Kernaghan,	Parlante,	Whittaker,
Ewing,	Kessler,	Pashley,	Willaredt,
Farabaugh,	King,	Perry,	Williams, A. D.,
Fetterolf,	Klein,	Petrosky,	Williams, E. S.,
Filo,	Knecht,	Piper,	Wilt,
Fineman,	Kooker,	Polaski,	Wood,
Flynn,	Kornick,	Polen,	Worley,
Foerster,	Korns,	Price,	Wynd,
Foor,	Kramer,	Pursley,	Yetter,
Fox,	Lamb,	Reibman,	Zember,
		Reidman,	Zimmerman,
		Andrews,	Andrews,

Speaker

NAYS—3

Prendergast, Sullivan, J. A., Yetter,

NOT VOTING—7

Holl,	Kistler,	Odorisio,	Wynd,
Jim,	Mihm,	Willard,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1533, entitled:

An Act to protect the public of the Commonwealth against vendors who misleadingly present their products as having been made by the blind and to prevent misleading use of the word blind in titles of organizations offering products for sale and providing penalties.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Adams,	Fulmer,	Lee, K. B.,	Rovansek,
Anderson, J. H.,	Galley,	Leonard,	Royer,
Anderson, S. A.,	Gallagher,	Limper,	Rubin,
Arlene,	Gelfand,	Lippincott,	Rudisill,
Ashton,	George,	Long, Wm. Jas.,	Rutherford,
Auker,	Gibb,	Long, Wm. Jos.,	Sakulsky,
Bachman,	Gibbons,	Lutty,	Scarcell,
Backenstoe,	Goldstein, J. H.,	Magee,	Schaaf,
Blair,	Goldstein, M. H.,	Manbeck,	Schuster,
Boles,	Goodrich,	Markley,	Seltzer,
Bonner,	Gramlich,	Marsh,	Shelton,
Bossert,	Gray,	Maxwell,	Sherman,
Bower,	Greenlee,	May,	Shupnik,
Bowman,	Gremminger,	McCandless,	Simmons,
Branca,	Gross,	McCann,	Slack,
Breth,	Guesman,	McCormack,	Snare,
Buchanan,	Guthrie,	McDevitt,	Stank,
Bush,	Hamilton,	McDonald,	Steckel,
Capano,	Hankins,	McInroy,	Stimmel,
Capitolo,	Hartley,	McKeever,	Stiteler,
Cauley,	Haudenshield,	McLaughlin,	Stone,
Cianfrani,	Heavey,	McNally,	Strausser,
Cioffi,	Heffner,	Meholchick,	Sullivan, J. A.,
Clarke,	Helm,	Merry,	Sullivan, T. F.,
Comer,	Henzel,	Miller,	Taylor,
Cooley,	Hocker,	Mills,	Thompson,
Crossin,	Holl,	Monroe,	Tomasck,
Curwood,	Holliday,	Morley,	Tompkins,
Davis,	Holman,	Mullen,	Trusio,
Dengler,	Horst,	Munley,	Ujobal,
Dennison,	Irvie,	Murphy,	Varnier,
Donaldson,	Isaacs,	Murray,	Verona,
Dougherty,	Jenkins,	Musto,	Wall,
Doughten,	Jim,	Needham,	Walsh,
Down,	Johnson, A. W.,	O'Dell,	Wargo,
Edwards,	Johnson, R. P.,	O'Donnell, J. A.,	Weidner,
Eilberg,	Jones,	O'Donnell, J. P.,	Welsh,
Elvey,	Kamyk,	Ogilvie,	Wescott,
Eshback,	Kelser,	Parlante,	Whittaker,
Eshleman,	Kelly,	Pashley,	Willaredt,
Esler,	Kernaghan,	Perry,	Williams, A. D.,
Ewing,	Kessler,	Petrosky,	Williams, E. S.,
Farabaugh,	King,	Piper,	Wilt,
Fetterolf,	Klein,	Polaski,	Wood,
Filo,	Knecht,	Prendergast,	Worley,
Fineman,	Kooker,	Price,	Wynd,
Flynn,	Kornick,	Pursley,	Yetter,
Foerster,	Korns,	Reibman,	Zember,
Foor,	Kramer,	Reidenbach,	Zimmerman,
Fox,	Lamb,	Renwick,	Andrews,
Frascella,	Lawson,	Riley,	Speaker
Fry,	Lee, A. M.,		

NAYS—0

NOT VOTING—5

Kistler,	Odorisio,	Polen,	Willard,
Mihm,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1551, entitled:

An Act amending "The First Class City Permanent Registration Act," approved March 30, 1937 (P. L. 115), further regulating the days and hours of registration and the days and hours of changing party enrollment.

And said bill having been read at length third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—108

Anderson, S. A.,	Fry,	Maxwell,	Reibman,
Arlene,	Galley,	McCann,	Reldenbach,
Auker,	Gallagher,	McCormack,	Renwick,
Bachman,	Gelfand,	McDevitt,	Riley,
Boles,	Greenlee,	McDonald,	Rovansek,
Bonner,	Gremminger,	McKeever,	Rubin,
Branca,	Guesman,	McLaughlin,	Rudisill,
Breth,	Hamilton,	McNally,	Sakulsky,
Capano,	Hankins,	Meholchick,	Scarcelli,
Capitolo,	Hartley,	Mills,	Schaaf,
Cauley,	Heavey,	Monroe,	Schuster,
Cianfrani,	Iris,	Morley,	Shelton,
Cioffi,	Jenkins,	Mullen,	Sherman,
Clarke,	Jim,	Munley,	Shupnik,
Comer,	Jones,	Murphy,	Stank,
Cooley,	Kamyk,	Murray,	Stone,
Crossin,	Kelly,	Musto,	Sullivan, J. A.,
Curwood,	Klein,	Needham,	Sullivan, T. F.,
Dougherty,	Kornick,	O'Donnell, J. A.,	Taylor,
Doughten,	Kramer,	O'Donnell, J. P.,	Tomasick,
Ellberg,	Lamb,	Parlante,	Trusio,
Farabaugh,	Lawson,	Pashley,	Verona,
Filo,	Leonard,	Perry,	Walsh,
Fineman,	Limper,	Petrosky,	Wargo,
Flynn,	Long, Wm. Jas.,	Polaski,	Welsh,
Foerster,	Long, Wm. Jos.,	Polen,	Yetter,
Frascella,	Lutty,	Prendergast,	Andrews,

Speaker

NAYS—97

Adams,	George,	Kistler,	Simmons,
Anderson, J. H.,	Gibb,	Knecht,	Slack,
Ashton,	Gibbons,	Kooker,	Snare,
Backenstoe,	Goldstein, J. H.,	Korns,	Steckel,
Blair,	Goldstein, M. H.,	Lee, A. M.,	Stimmel,
Bossert,	Goodrich,	Lee, K. B.,	Suteler,
Bower,	Gramlich,	Lippincott,	Strausser,
Bowman,	Gross,	Magée,	Thompson,
Buchanan,	Guthrie,	Manbeck,	Tompkins,
Bush,	Haudenshield,	Markley,	Ujobal,
Davis,	Heffner,	Marsh,	Varnier,
Dengler,	Helm,	May,	Wall,
Dennison,	Henzel,	McCandless,	Weidner,
Donaldson,	Hocker,	McInroy,	Wescott,
Down,	Holliday,	Merry,	Whittaker,
Edwards,	Holman,	Miller,	Willaredt,
Elvey,	Horst,	O'Dell,	Williams, A. D.,
Eshback,	Isaacs,	Ogilvie,	Williams, E. S.,
Eshleman,	Johnson, A. W.,	Piper,	Wilt,
Esler,	Johnson, R. P.,	Price,	Wood,
Ewing,	Kelser,	Pursley,	Worley,
Fetterolf,	Kernaghan,	Royer,	Wynd,
Foor,	Kessler,	Rutherford,	Yetter,
Fox,	King,	Seltzer,	Zember,
Fulmer,			Zimmerman,

NOT VOTING—5

Gray,	Mihm,	Odorislo,	Willard,
Holl,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1552, entitled:

An Act amending the "Public School Code of 1949,"

approved March 10, 1949 (P. L. 30), changing eligibility for State scholarships.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Adams,	Fulmer,	Lee, K. B.,	Rovansek,
Anderson, J. H.,	Galley,	Leonard,	Royer,
Anderson, S. A.,	Gallagher,	Limper,	Rubin,
Arlene,	Gelfand,	Lippincott,	Rudisill,
Ashton,	George,	Long, Wm. Jas.,	Rutherford,
Auker,	Gibb,	Long, Wm. Jos.,	Sakulsky,
Bachman,	Gibbons,	Lutty,	Scarcelli,
Backenstoe,	Goldstein, J. H.,	Magée,	Schaaf,
Blair,	Goldstein, M. H.,	Manbeck,	Schuster,
Bonner,	Goodrich,	Markley,	Seltzer,
Bossert,	Gramlich,	Marsh,	Shelton,
Bower,	Greenlee,	Maxwell,	Sherman,
Bowman,	Gremminger,	May,	Shupnik,
Branca,	Gross,	McCandless,	Simmons,
Breth,	Guesman,	McCann,	Slack,
Buchanan,	Guthrie,	McCormack,	Snare,
Bush,	Hamilton,	McDevitt,	Stank,
Capano,	Hankins,	McDonald,	Steckel,
Capitolo,	Hartley,	McInroy,	Stimmel,
Cauley,	Haudenshield,	McKeever,	Stiteler,
Cianfrani,	Heavey,	McLaughlin,	Stone,
Cioffi,	Heffner,	McNally,	Strausser,
Clarke,	Helm,	Meholchick,	Sullivan, J. A.,
Comer,	Henzel,	Merry,	Sullivan, T. F.,
Cooley,	Hocker,	Miller,	Taylor,
Crossin,	Holliday,	Mills,	Thompson,
Curwood,	Holman,	Monroe,	Tomasick,
Davis,	Horst,	Morley,	Tompkins,
Dengler,	Iris,	Mullen,	Trusio,
Dennison,	Isaacs,	Munley,	Ujobal,
Donaldson,	Jenkins,	Murphy,	Varnier,
Dougherty,	Jim,	Murray,	Verona,
Doughten,	Johnson, A. W.,	Musto,	Wall,
Down,	Johnson, R. P.,	Needham,	Walsh,
Edwards,	Jones,	O'Dell,	Wargo,
Ellberg,	Kamyk,	O'Donnell, J. A.,	Weidner,
Elvey,	Kelser,	Ogilvie,	Welsh,
Eshback,	Kelly,	Parlante,	Wescott,
Eshleman,	Kernaghan,	Perry,	Whittaker,
Esler,	Kessler,	Petrosky,	Willaredt,
Ewing,	King,	Piper,	Williams, A. D.,
Farabaugh,	Kistler,	Polaski,	Williams, E. S.,
Fetterolf,	Klein,	Polen,	Wilt,
Filo,	Knecht,	Prendergast,	Wood,
Fineman,	Kooker,	Price,	Worley,
Flynn,	Kornick,	Pursley,	Wynd,
Foerster,	Korns,	Royer,	Yetter,
Foor,	Kramer,	Rutherford,	Zember,
Fox,	Lamb,	Seltzer,	Zimmerman,
Frascella,	Lawson,		Andrews,
Fry,	Lee, A. M.,		

Speaker

NAYS—2

O'Donnell, J. P., Pashley,

NOT VOTING—6

Boles,	Holl,	Odorislo,	Willard,
Gray,	Mihm,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1564, entitled:

An Act limiting the use of appropriations for hospital or institutional care or training in certain cases.

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—203

Adams,	Fulmer,	Lee, K. B.,	Rovansek,
Anderson, J. H.,	Galley,	Leonard,	Royer,
Anderson, S. A.,	Gallagher,	Lippincott,	Rubin,
Arlene,	Gelfand,	Long, Wm. Jas.,	Rudisill,
Ashton,	George,	Long, Wm. Jos.,	Rutherford,
Auker,	Gibb,	Lutty,	Sakulsky,
Bachman,	Gibbons,	Magee,	Scarcelli,
Backenstoe,	Goldstein, J. H.,	Manbeck,	Schaaf,
Blair,	Goldstein, M. H.,	Markley,	Schuster,
Bonner,	Goodrich,	Marsh,	Seltzer,
Bossert,	Gramlich,	Maxwell,	Shelton,
Bower,	Greenlee,	May,	Sherman,
Bowman,	Gremminger,	McCandless,	Shupnik,
Branca,	Gross,	McCann,	Simmons,
Breth,	Guesman,	McCormack,	Slack,
Buchanan,	Guthrie,	McDevitt,	Snare,
Bush,	Hamilton,	McDonald,	Stank,
Capano,	Hankins,	McInroy,	Steckel,
Capitolo,	Hartley,	McKeever,	Stimmel,
Cauley,	Haudenshield,	McLaughlin,	Stiteler,
Cianfrani,	Heavey,	McNally,	Stone,
Cioffi,	Heffner,	Meholchick,	Strausser,
Clarke,	Helm,	Merry,	Sullivan, J. A.,
Comer,	Henzel,	Miller,	Sullivan, T. F.,
Cooley,	Hocker,	Mills,	Taylor,
Crossin,	Holliday,	Monroe,	Thompson,
Curwood,	Holman,	Morley,	Tomasck,
Davis,	Horst,	Mullen,	Tompkins,
Dengler,	Irviss,	Munley,	Trusio,
Dennison,	Isaacs,	Murphy,	Ujobal,
Donaldson,	Jenkins,	Murray,	Varner,
Dougherty,	Jim,	Musto,	Verona,
Doughten,	Johnson, A. W.,	Needham,	Verona,
Down,	Johnson, R. P.,	O'Dell,	Wargo,
Edwards,	Jones,	O'Donnell, J. A.,	Wall,
Ellberg,	Kamyk,	O'Donnell, J. P.,	Walsh,
Elvey,	Kelser,	Ogillvie,	Walsh,
Eshback,	Kelly,	Parlante,	Weidner,
Eshleman,	Kernaghan,	Pashley,	Wescott,
Esler,	Kessler,	Perry,	Whittaker,
Ewing,	King,	Petrosky,	Willaredt,
Farabaugh,	Kistler,	Piper,	Williams, A. D.,
Fetterolf,	Klein,	Polaski,	Williams, E. S.,
Filo,	Knecht,	Polen,	Wilt,
Fineman,	Kooker,	Prendergast,	Wood,
Flynn,	Kornick,	Price,	Worley,
Foerster,	Korns,	Pursley,	Wynd,
Foor,	Kramer,	Reibman,	Yetter,
Fox,	Lamb,	Reidenbach,	Zember,
Fracella,	Lawson,	Renwick,	Zimmerman,
Fry,	Lee, A. M.,	Riley,	Andrews,
			Speaker

NAYS—0

NOT VOTING—7

Boles,	Holl,	Mihm,	Willard,
Gray,	Limper,	Odorisio,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1566, entitled:

An Act amending the act of May 10, 1956 (P. L. 1569), entitled "An act authorizing the City of Philadelphia to accept the conveyance under certain conditions of the site of Fort Mifflin" by the Commonwealth of Pennsylvania giving up its right of occupancy of Mud Island under certain circumstances and by granting rights of occupancy thereof to the City of Philadelphia.

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—201

Anderson, J. H.	Gallagher,	Limper,	Royer,
Anderson, S. A.,	Gelfand,	Lippincott,	Rubin,
Arlene,	George,	Long, Wm. Jas.,	Rudisill,
Ashton,	Gibbons,	Long, Wm. Jos.,	Rutherford,
Auker,	Goldstein, J. H.,	Lutty,	Sakulsky,
Bachman,	Goldstein, M. H.,	Markley,	Scarcelli,
Backenstoe,	Goodrich,	Magee,	Schaaf,
Bonner,	Gramlich,	Manbeck,	Schuster,
Bossert,	Gray,	Marsh,	Seltzer,
Bower,	Greenlee,	Maxwell,	Shelton,
Bowman,	Gremminger,	McCandless,	Sherman,
Branca,	Gross,	McCann,	Shupnik,
Breth,	Guesman,	McCormack,	Simmons,
Buchanan,	Guthrie,	McDevitt,	Slack,
Bush,	Hamilton,	McDonald,	Snare,
Capano,	Hankins,	McInroy,	Stank,
Capitolo,	Hartley,	McKeever,	Steckel,
Cauley,	Haudenshield,	McLaughlin,	Stimmel,
Cianfrani,	Heavey,	McNally,	Stiteler,
Cioffi,	Heffner,	Meholchick,	Stone,
Clarke,	Helm,	Merry,	Strausser,
Comer,	Henzel,	Miller,	Sullivan, J. A.,
Cooley,	Hocker,	Mills,	Sullivan, T. F.,
Crossin,	Holliday,	Monroe,	Taylor,
Curwood,	Holman,	Morley,	Thompson,
Davis,	Horst,	Mullen,	Tomasck,
Dengler,	Irviss,	Munley,	Tompkins,
Dennison,	Isaacs,	Murphy,	Trusio,
Donaldson,	Jenkins,	Murray,	Ujobal,
Dougherty,	Jim,	Musto,	Varner,
Doughten,	Johnson, A. W.,	Needham,	Verona,
Down,	Johnson, R. P.,	O'Dell,	Wargo,
Edwards,	Jones,	O'Donnell, J. A.,	Wall,
Ellberg,	Kamyk,	O'Donnell, J. P.,	Walsh,
Elvey,	Kelly,	Ogillvie,	Walsh,
Eshback,	Kelser,	Parlante,	Weidner,
Eshleman,	Kernaghan,	Pashley,	Wescott,
Esler,	Kessler,	Perry,	Whittaker,
Ewing,	King,	Petrosky,	Willaredt,
Farabaugh,	Kistler,	Piper,	Williams, A. D.,
Fetterolf,	Klein,	Polaski,	Williams, E. S.,
Filo,	Knecht,	Polen,	Wilt,
Fineman,	Kooker,	Prendergast,	Wood,
Flynn,	Kornick,	Price,	Worley,
Foerster,	Korns,	Pursley,	Wynd,
Foor,	Kramer,	Reibman,	Yetter,
Fox,	Lamb,	Reidenbach,	Zember,
Fracella,	Lawson,	Renwick,	Zimmerman,
Fry,	Lee, A. M.,	Riley,	Andrews,
Galley,	Lee, K. B.,	Rovansek,	Speaker
	Leonard,		

NAYS—2

NOT VOTING—7

Adams,	Blair,		
Boles,	Holl,	Mihm,	Willard,
Gibb,	May,	Odorisio,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Mr. GIBBONS. Mr. Speaker, I would like to know how the gentleman from Philadelphia, Mr. Gray, voted on the last roll call.

The SPEAKER pro tempore. The clerk informs the Chair that the gentleman voted "aye."

Mr. GIBBONS. I would like to call the attention of the Speaker to the fact that this practice has been continuing

for some time and we have noticed it, that is, members voting for members who are not here. The only way we can challenge it, of course, is in that exact moment between the time—

The SPEAKER pro tempore. For what purpose does the gentleman from Philadelphia, Mr. Sherman, rise?

Mr. SHERMAN. Mr. Speaker, if this is a challenge of a man's vote, I think the rules say it must be done in writing.

The SPEAKER pro tempore. The Chair would like to inform the gentleman that a member may question the validity of a member's vote before the result is announced. The result of this roll call has not yet been announced.

Mr. McCANN. Mr. Speaker, it is most proper. The gentleman is here. The gentleman from Philadelphia, Mr. Gray, in question, can rise in his place. He is here and is back in the hall of the House.

Will the gentleman, Mr. Gray, rise in his seat?

Mr. GIBBONS. Mr. Speaker, may I ask if it would be proper for me to interrogate the gentleman from Philadelphia, Mr. Gray?

The SPEAKER pro tempore. That interrogation is not proper at this time.

Mr. GIBBONS. Mr. Speaker, I would merely like to point out to the House the very great defect we have in this voting system. Unless one of the members of the opposite party rises in that exact moment between the time the Chair says, "Have all the members present voted?" and point out that defect—

POINT OF ORDER

The SPEAKER pro tempore. For what purpose does the gentleman from Philadelphia, Mr. Sherman, rise?

Mr. SHERMAN. Mr. Speaker, I rise to a point of order.

The SPEAKER pro tempore. The gentleman will state it.

Mr. SHERMAN. Mr. Speaker, I think there is nothing in the rules—

The SPEAKER pro tempore. Will the gentleman yield for just a moment until the Chair reads the rule?

The Chair would like to call the attention of the members to Rule 69.1, paragraph (g):

"No member shall vote for another member, nor shall any person not a member vote for a member. Any member who shall vote or attempt to vote for a member, or a person not a member who shall vote or attempt to vote for a member may be punished in such manner as the House shall determine."

Mr. SHERMAN. Mr. Speaker, that has nothing to do with the point at issue.

The SPEAKER pro tempore. Well, what is the gentleman's point of order?

Mr. SHERMAN. There is nothing before the House but the announcement of the result of the roll call.

The SPEAKER pro tempore. The gentleman's point of order is not well taken. The gentleman has the right to question the validity of a vote.

If the gentleman cares to challenge the vote of the gentleman any further he must put it in writing.

Mr. GIBBONS. Mr. Speaker, I merely want to point out something here, and I think it is something that has been happening and has been improper.

The rules do not provide for any means of a member objecting when we can obviously see that a member is not in the hall of the House and is not pushing his own

toggle switch and yet remains voted. If we wait until the vote is announced, it is too late. If we do not get in in time when we rise to object to it, the switch is pushed back.

I just wanted to point this out. I think that the members present here know what has happened. The gentleman from Montgomery, Mr. Fetterolf, rose before to bring up this point of order and the switch was pushed back. I think this is something we all know, and the result of the vote would not make any difference, so I will merely thank the Chair for the courtesy.

The SPEAKER pro tempore. The Chair thanks the gentleman.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1572, entitled:

An Act amending the act of December 8, 1959 (P. L. 1718), entitled "An act providing for the payment of the salary medical and hospital expenses of employes of State penal and correctional institutions who are injured in the performance of their duties and providing benefit to their widows and dependents in certain cases" extending the act to provide for payment of salary medical and hospital expenses to employes of State mental hospitals Youth Development Centers and County Boards of Assistance who are injured in the course of their employment and of employes of the Department of Public Welfare injured while fighting fires.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—201

Adams,	Fulmer,	Leonard,	Royer,
Anderson, J. H.	Galley,	Limper,	Rubin,
Anderson, S. A.	Gallagher,	Lippincott,	Rudisill,
Arlene,	Gelfand,	Long, Wm. Jas.,	Rutherford,
Ashton,	George,	Long, Wm. Jos.,	Sakulsky,
Auker,	Gibb,	Lutty,	Scarcelli,
Bachman,	Gibbons,	Magee,	Schaaf,
Backenstoe,	Goldstein, J. H.,	Manbeck,	Schuster,
Blair,	Goldstein, M. H.,	Marsh,	Seltzer,
Boles,	Goodrich,	Maxwell,	Shelton,
Bonner,	Gramlich,	May,	Sherman,
Bossert,	Gremminger,	McCandless,	Shupnik,
Bower,	Gray,	McCann,	Simmons,
Bowman,	Greenlee,	McDevitt,	Slack,
Branca,	Gross,	McDonald,	Snare,
Breth,	Guesman,	McInroy,	Stank,
Buchanan,	Guthrie,	McKeever,	Steckel,
Bush,	Hamilton,	McLaughlin,	Stimmel,
Capano,	Hankins,	McNally,	Stiteler,
Capitolo,	Hartley,	Meholchick,	Stone,
Cauley,	Haudenshield,	Merry,	Strausser,
Cianfrani,	Heavey,	Miller,	Sullivan, J. A.,
Cloff,	Helm,	Mills,	Sullivan, T. F.,
Clarke,	Henzel,	Monroe,	Taylor,
Comer,	Hocker,	Morley,	Thompson,
Cooley,	Holl,	Mullen,	Tomascik,
Crossin,	Holliday,	Munley,	Tompkins,
Curwood,	Holman,	Murphy,	Trusio,
Davis,	Irlvis,	Murray,	Ujohal,
Dengler,	Isaacs,	Musto,	Varner,
Dennison,	Jenkins,	Needham,	Verona,
Donaldson,	Jim,	O'Dell,	Wall,
Dougherty,	Johnson, A. W.,	O'Donnell, J. A.,	Walsh,
Doughten,	Johnson, R. P.,	O'Donnell, J. P.,	Wargo,
Down,	Jones,	Ogilvie,	Weidner,
Edwards,	Kamyk,	Parlante,	Welsh,
Eilberg,	Keiser,	Pashley,	Wescott,
Eshback,	Kelly,	Perry,	Whittaker,

Eshleman,	Kernaghan,	Petrosky,	Willaredt,
Esler,	Kessler,	Piper,	Williams, A. D.,
Ewing,	King,	Polaski,	Williams, E. S.,
Farabaugh,	Kistler,	Polen,	Wilt,
Fetterolf,	Klein,	Prendergast,	Wood,
Filo,	Kooker,	Price,	Worley,
Fineman,	Kornick,	Pursley,	Wynd,
Flynn,	Korns,	Reibman,	Yetter,
Foerster,	Kramer,	Reidenbach,	Zember,
Foor,	Lamb,	Renwick,	Zimmerman,
Fox,	Lawson,	Riley,	Andrews,
Frascella,	Lee, A. M.,	Rovansek,	Speaker
Fry,	Lee, K. B.,		

NAYS—0

NOT VOTING—9

Elvey,	Knecht,	McCormack,	Odorisio,
Heffner,	Markley,	Mihm,	Willard,
Horst,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1577, entitled:

An Act amending the act of April 4, 1925 (P. L. 127), entitled "An act relating to adoption," reducing the minimum period of custody in an agency or institution necessary for voluntary relinquishment of custody of a child.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER pro tempore. For what purpose does the lady from Bucks, Mrs. Kooker, rise?

Mrs. KOOKER. Mr. Speaker, I would like to interrogate one of the sponsors of this bill.

The SPEAKER pro tempore. The lady from Bucks, Mrs. Kooker, desires to interrogate one of the sponsors of the bill. Will the gentleman from Erie, Mr. Schaaf, permit himself to be interrogated?

Mr. SCHAAF. I shall, Mr. Speaker.

The SPEAKER pro tempore. The lady will proceed.

Mrs. KOOKER. Mr. Speaker, I would like to ask what is hoped to be gained by changing this bill from 30 days to 5 days? What is the reason?

Mr. SCHAAF. Mr. Speaker, what is to be gained would be a saving—well, perhaps I had better start in this fashion: The voluntary relinquishment proceedings can only be undertaken when an approved agency is involved. What would be gained in this particular case, in the case of the agency, would be saving the expense of maintaining the mother for 25 additional days.

Mrs. KOOKER. Mr. Speaker, I feel that the elapsing of only five days' time is a very short time in which to separate a mother from her child. There is an eternal bond between a mother and her child, and oftentimes at the age of 18 years a woman, or a girl, is very much frustrated and emotionally upset at a time such as this. I feel that five days' time is not sufficient for her to make up her mind to relinquish her child in an adoption which separates them forever. I just feel that it is not fair to the mother at a time like this. I ask that this bill not be

given the consideration and support of the House on that point. Thank you.

Mr. SCHAAF. Mr. Speaker, so that the membership of the House is clear, we are dealing in the main with unwed mothers. We are dealing in the main with the court proceedings in which the girl—the mother—is at least the age of 18 and her parents will have to be party to that proceeding. We are dealing with a conventional situation, that is, where the mother of the child actually does, and in fact previously, prior to the court hearing, has, indicated her consent to this proceeding. We are dealing, Mr. Speaker, in the main with cases where the agency involved has worked with the mother perhaps three, four, five or six months prior to the birth of the child. The decision is not a hasty one, and this is only to accomplish the decision that she has made.

Mr. Speaker, I believe that this is worthy legislation. Those informants with whom I have corresponded and who have an interest in this matter all speak favorably of this legislation. I ask that all the members on both sides of the House support this legislation.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Westmoreland, Mr. Sakulsky.

Mr. SAKULSKY. Mr. Speaker, I rise to oppose House bill 1577. It does not carry the interest of the parent or parents who make petition to court 30 days after the child is born to surrender their right as a parent, after which the adoption agency has control of the child, not the parent. This bill has reduced the 30 days to 5 days. There is no good purpose served, except that a parent may expedite the surrendering of responsibility. If the parents changed their minds after the court hearing, it may be too late for them to gain custody. Thirty days is certainly a short enough time in which a parent or parents have to determine this matter. This bill is designed only for adoption agencies and attorneys who represent clients for the purpose of adoption. Therefore, I ask the members on both sides to vote no.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Schuylkill, Mr. Heffner.

Mr. HEFFNER. Mr. Speaker, I rise in favor of this bill. I have received correspondence from approved children's bureaus, from people who represent churches in our Commonwealth of Pennsylvania, favoring this bill. There is nothing tricky about it, there is nothing sinister about it, and I should think that we, as legislators, should be guided by these approved agencies that are doing this work each and every day for mankind. I ask the members on this side of the House to vote in favor of, and to help these agencies in, their most worthy cause.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Erie, Mr. Schaaf.

Mr. SCHAAF. Mr. Speaker, it is unfortunate that the gentleman from Westmoreland, Mr. Sakulsky, made the remarks that he did.

This is not a bill designed to enrich attorneys, nor is it a bill designed to improve the lot of agencies. This bill is designed to be in the best interests of a little child and unwed mothers.

Mr. Speaker, this is good legislation, and I challenge the opponents, and I think they are few, who say to the contrary.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. McCormack.

Mr. McCORMACK. Mr. Speaker, I merely wanted to say as one of the sponsors of this bill that I believe it is a very desirable piece of legislation and, as the gentleman from Schuylkill so well put it, these welfare agencies are the ones who are primarily interested in this. I know the Catholic Charities are interested in it, and I believe they have also received communications from the Lutheran Ministerium in Pennsylvania expressing approval and urging the passage of this bill. I know of no opposition to it by responsible and legal agencies that deal in the adoption of babies. If that is so—if there is such opposition, I would like to hear it stated on the floor because these responsible agencies, as the gentleman said, have devoted their lives to seeing that proper procedures and proper steps were utilized in the relinquishment of children. So, Mr. Speaker, I maintain the gentleman from Westmoreland is absolutely incorrect when he makes that suggestion.

This is a bill advocated by responsible agencies in the field of the relinquishment of children and the placing out for adoption of children. The only purpose behind the bill is to aid them. Therefore, I ask both sides to vote for it.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Fineman.

Mr. FINEMAN. Mr. Speaker, I would like to point out for the benefit of the members of this House one very important provision in this bill. This bill does not state that upon the expiration of a five-day period a mother's right in the child is voluntarily relinquished. Before that contingency occurs, before that event occurs, the mother must file a petition for voluntary relinquishing. All this bill does is move up the time during which the mother files the petition. It does not say that at the expiration of five days, as opposed to 30 days, her rights are abrogated. It does not say that at all.

Why do we want to move up this time? For a very practical reason. In almost every instance the child is the offspring of an unwed mother. The experience of giving birth to a child that does not have the benefit of a marriage is a bitter, distasteful experience. It is something that unwed mothers want to put behind them and reject as quickly as possible. So far as the mother is concerned, you are helping her to get this behind her by giving her an advanced time in which she can move toward this end.

An additional factor that you should keep in mind is this: This is for the benefit of the child and it is the child's welfare that we must keep in mind, because there is no question that a child placed in a home of a childless couple who want the child, people who can give of their love and attention to an offspring—and I know whereof I speak because I am the proud father of two adopted children, God bless them—that child is much better off in the home of that couple than the child would be in the home of a unwed mother. This bill deserves our favorable attention.

On the question recurring,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—161

Adams,	Fulmer,	Limper,	Rudisill,
Anderson, J. H.,	Galley,	Lippincott,	Rutherford,
Anderson, S. A.,	Gallagher,	Long, Wm. Jas.,	Scarcell,
Arlene,	Gelfand,	Long, Wm. Jos.,	Schaaf,
Ashton,	George,	Manbeck,	Schuster,

Bachman,	Gibbons,	Markley,	Seltzer,
Backenstoe,	Goldstein, J. H.,	Marsh,	Shelton,
Blair,	Goodrich,	Maxwell,	Sherman,
Boles,	Gramlich,	May,	Shupnik,
Bower,	Gray,	McCann,	Slack,
Bowman,	Greenlee,	McCormack,	Snare,
Branca,	Gromminger,	McDevitt,	Stank,
Breth,	Guesman,	McDonald,	Steckel,
Buchanan,	Guthrie,	McKeever,	Stimmel,
Bush,	Hankins,	McLaughlin,	Stiteler,
Capano,	Hartley,	McNally,	Stone,
Capitolo,	Haudenshield,	Meholchick,	Strausser,
Cianfrani,	Hefner,	Miller,	Sullivan, J. A.,
Cioffi,	Helm,	Monroe,	Sullivan, T. F.,
Clarke,	Henzel,	Mullen,	Taylor,
Comer,	Hocker,	Murphy,	Thompson,
Cooley,	Holman,	Murray,	Tomascik,
Crossin,	Horst,	Musto,	Tompkins,
Curwood,	Irvia,	Needham,	Ujohal,
Davis,	Isaacs,	O'Donnell, J. P.,	Varner,
Dengler,	Jenkins,	Ogilvie,	Verona,
Donaldson,	Johnson, A. W.,	Parlante,	Wall,
Dougherty,	Johnson, R. P.,	Perry,	Wargo,
Down,	Jones,	Petrosky,	Weidner,
Ellberg,	Kelser,	Piper,	Welsh,
Elvey,	Kelly,	Polaski,	Whittaker,
Eshback,	Kernaghan,	Polen,	Willaredt,
Eshleman,	Kessler,	Prendergast,	Williams, A. D.,
Esler,	Knecht,	Pursley,	Williams, E. S.,
Ewing,	Korns,	Reibman,	Wood,
Fetterolf,	Kramer,	Renwick,	Worley,
Fineman,	Lamb,	Riley,	Wynd,
Flynn,	Lawson,	Rovansek,	Yetter,
Fox,	Lee, A. M.,	Royer,	Zimmerman,
Frascella,	Lee, K. B.,	Rubin,	Andrews,
Fry,			Speaker

NAYS—38

Auker.	Gross,	Leonard,	O'Dell,
Bonner.	Hamilton,	Lutty,	O'Donnell, J. A.,
Bossert,	Heavey,	Magee,	Pashley,
Caulley,	Holl,	McCandless,	Price,
Doughten,	Holliday,	McInroy,	Sakulsky,
Edwards,	Jim,	Merry,	Simmons,
Foerster,	Kanayk,	Mills,	Walsh,
Foor,	King,	Morley,	Wilt,
Gibb,	Kistler,	Munley,	Zember,
Goldstein, M. H.	Kooker,		

NOT VOTING—11

Dennison,	Klein,	Odoriso,	Wescott,
Farabaugh,	Kornick,	Reidenbach,	Willard,
Filo,	Mihm,	Trusio,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

GIRL SCOUTS WELCOMED

The SPEAKER pro tempore. While the clerk is recording the vote, the Chair would like to welcome to the hall of the House today Girl Scout Troop No. 16 and Brownie Troop No. 19 from Phillipsburg, Pennsylvania, under the supervision of Mrs. Roberts, Mrs. Frankhouser and Mrs. Spotts. They are here today as the guests of the gentleman from Clearfield, Mr. Breth, and the gentleman from Centre, Mr. Fulmer.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1578, entitled:

An Act amending the "Adoption Law," approved April 4, 1925 (P. L. 127), changing provisions relating to hearings in certain cases.

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—190

Adams,	Galley,	Kramer,	Riley,
Anderson, J. H.,	Gallagher,	Lamb,	Rovansek,
Anderson, S. A.,	Gelfand,	Lawson,	Royer,
Arlene,	George,	Lee, A. M.,	Rubin,
Ashton,	Gibb,	Lee, K. B.,	Rudsill,
Auker,	Gibbons,	Leonard,	Rutherford,
Bachman,	Goldstein, J. H.,	Limper,	Sakulsky,
Backenstoe,	Goldstein, M. H.,	Lippincott,	Scarcell,
Blair,	Goodrich,	Long, Wm. Jas.,	Schaaf,
Boles,	Gramlich,	Long, Wm. Jos.,	Schuster,
Bonner,	Gray,	Lutty,	Seltzer,
Bower,	Greenlee,	Manbeck,	Shelton,
Bowman,	Gremminger,	Markley,	Sherman,
Branca,	Gross,	Marsh,	Shupnik,
Breth,	Guesman,	Maxwell,	Slack,
Buchanan,	Guthrie,	May,	Stank,
Bush,	Hamilton,	McCandless,	Steckel,
Capano,	Hankins,	McCann,	Stimmel,
Capitolo,	Hartley,	McCormack,	Stiteler,
Cianfrani,	Haudenshield,	McDevitt,	Stone,
Cloffi,	Heavey,	McDonald,	Strausser,
Clarke,	Hefner,	McInroy,	Sullivan, J. A.,
Comer,	Helm,	McKeever,	Sullivan, T. F.,
Cooley,	Henzel,	McLaughlin,	Taylor,
Crossin,	Hocker,	McNally,	Thompson,
Curwood,	Holl,	Merry,	Tomasck,
Davis,	Holliday,	Miller,	Ujobal,
Dengler,	Holman,	Mills,	Varnier,
Dennison,	Horst,	Monroe,	Verona,
Donaldson,	Irvis,	Morley,	Wall,
Dougherty,	Isaacs,	Mullen,	Wargo,
Down,	Jenkins,	Murphy,	Weidner,
Edwards,	Jim,	Murray,	Welsh,
Ellberg,	Johnson, A. W.,	Musto,	Wescott,
Elvey,	Johnson, R. P.,	Needham,	Whittaker,
Eshback,	Jones,	O'Donnell, J. A.,	Willaredt,
Eshleman,	Kamyk,	Ogilvie,	Williams, A. D.,
Esler,	Keiser,	Parlante,	Williams, E. S.,
Ewing,	Kelly,	Petrosky,	Wilt,
Farabaugh,	Kernaghan,	Piper,	Wood,
Fetterolf,	Kessler,	Polaski,	Worley,
Filo,	King,	Polen,	Wynd,
Fineman,	Kistler,	Prendergast,	Yetter,
Flynn,	Klein,	Price,	Zember,
Fox,	Knecht,	Pursley,	Zimmerman,
Frascella,	Kooker,	Reibman,	Andrews,
Fry,	Kornick,	Reidenbach,	Speaker
Fulmer,	Korns,	Renwick,	

NAYS—9

Bossert,	Foerster,	Magee,	Tompkins,
Cauley,	Foor,	O'Dell,	Walsh,
Doughten,			

NOT VOTING—11

Meholchick,	O'Donnell, J. P.,	Perry,	Trusio,
Mihm,	Odorisio,	Simmons,	Willard,
Munley,	Pashley,	Snare,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1579, entitled:

An Act amending the act of November 21, 1959 (Appropriation Act No. 47-A), entitled "An Act making an appropriation to the Department of Forests and Waters for the development of Erie Harbor and land adjacent thereto," removing provisions relating to completion of the Duquesne Marine Terminal facilities.

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—200

Anderson, S. A.,	Fulmer,	Lawson,	Reidenbach,
Arlene,	Galley,	Lee, A. M.,	Renwick,
Ashton,	Gallagher,	Lee, K. B.,	Riley,
Auker,	Gelfand,	Leonard,	Rovansek,
Bachman,	George,	Limper,	Royer,
Backenstoe,	Gibb,	Lippincott,	Rudsill,
Boles,	Gibbons,	Long, Wm. Jas.,	Rutherford,
Bonner,	Goldstein, J. H.,	Long, Wm. Jos.,	Sakulsky,
Bossert,	Goldstein, M. H.,	Lutty,	Scarcell,
Bower,	Goodrich,	Magee,	Schaaf,
Bowman,	Gramlich,	Manbeck,	Schuster,
Branca,	Gray,	Markley,	Seltzer,
Breth,	Greenlee,	Marsh,	Shelton,
Buchanan,	Gremminger,	Maxwell,	Sherman,
Bush,	Guesman,	May,	Shupnik,
Capano,	Guthrie,	McCandless,	Simmons,
Capitolo,	Hamilton,	McCann,	Slack,
Cauley,	Hankins,	McDevitt,	Snare,
Cianfrani,	Hartley,	McDonald,	Stank,
Cloffi,	Haudenshield,	McKeever,	Steckel,
Clarke,	Heavey,	McLaughlin,	Stimmel,
Comer,	Hefner,	McNally,	Stiteler,
Cooley,	Helm,	Meholchick,	Stone,
Crossin,	Henzel,	Strausser,	Sullivan, J. A.,
Curwood,	Hocker,	Sullivan, T. F.,	Taylor,
Davis,	Holl,	Thompson,	Tomascik,
Dengler,	Holliday,	Tompkins,	Tompkins,
Dennison,	Holman,	Ujobal,	Varnier,
Donaldson,	Horst,	Verona,	Wall,
Irvis,	Isaacs,	Walsh,	Wargo,
Jenkins,	Isaacs,	Weidner,	Welsh,
Jim,	Jones,	Wescott,	Whittaker,
Johnson, A. W.,	Kamyk,	Whillaredt,	Williams, A. D.,
Johnson, R. P.,	Keiser,	Williams, E. S.,	Wood,
Elvey,	Kelly,	Worley,	Wynd,
Eshback,	Kernaghan,	Yetter,	Zember,
Eshleman,	Kessler,	Zimmerman,	Andrews,
Esler,	King,	Speaker	
Ewing,	Kistler,		
Farabaugh,	Klein,		
Fetterolf,	Knecht,		
Filo,	Kooker,		
Fineman,	Kornick,		
Flynn,	Korns,		
Foerster,	Kramer,		
Foor,	Lamb,		
Fox,			
Frascella,			
Fry,			

NAYS—4

Adams,	Anderson, J. H.,	Gross,	Wilt,
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NOT VOTING—6

McCormack,	Odorisio,	Trusio,	Willard,
Mihm,	Rubin,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1588, entitled:

An Act amending the act of May 28, 1931 (P. L. 202), entitled "An act providing for the licensing and regulation of motor boats operated or navigated upon any public stream artificial or natural body of water or non-tidal waters of any river within the Commonwealth * * *" removing the requirement that metallic plates shall be issued.

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Adams,	Frascella,	Kramer,	Reibman,
Anderson, J. H.,	Fry,	Lawson,	Renwick,
Anderson, S. A.,	Fulmer,	Lee, A. M.,	Riley,
Arlene,	Galley,	Lee, K. B.,	Rovansek,
Ashton,	Gallagher,	Leonard,	Royer,
Auker,	Gelfand,	Limper,	Rubin,
Bachman,	George,	Lippincott,	Rudisill,
Backenstoe,	Gibb,	Long, Wm. Jas.,	Rutherford,
Blair,	Gibbons,	Long, Wm. Jos.,	Sakulsky,
Boles,	Goldstein, J. H.,	Lutty,	Scarcelli,
Bonner,	Goldstein, M. H.,	Magee,	Schaaf,
Bossert,	Goodrich,	Manbeck,	Schuster,
Bower,	Gramlich,	Markley,	Seltzer,
Bowman,	Gray,	Marsh,	Shelton,
Branca,	Greenlee,	Maxwell,	Sherman,
Breth,	Gremminger,	May,	Shupnik,
Buchanan,	Gross,	McCandless,	Simmons,
Bush,	Guesman,	Slack,	Snare,
Capano,	Guthrie,	McCann,	Stank,
Capitolo,	Hamilton,	McDevitt,	Steckel,
Cauley,	Hankins,	McDonald,	Stimmel,
Cianfrani,	Hartley,	McInroy,	Stiteler,
Cioffi,	Haudenshield,	McKeever,	Stone,
Clarke,	Heavey,	McLaughlin,	Strausser,
Comer,	Heffner,	McNally,	Sullivan, J. A.,
Cooley,	Helm,	Meholchick,	Sullivan, T. F.,
Crossin,	Henzel,	Merry,	Taylor,
Curwood,	Hocker,	Miller,	Thompson,
Davis,	Holl,	Mills,	Tompkins,
Dengler,	Holliday,	Monroe,	Ujobal,
Dennison,	Holman,	Morley,	Varnier,
Donaldson,	Horst,	Mullen,	Verona,
Dougherty,	Irviss,	Munley,	Wall,
Doughten,	Isaacs,	Murray,	Walsh,
Down,	Jim,	Musto,	Wargo,
Edwards,	Johnson, A. W.,	Needham,	Weidner,
Eilberg,	Johnson, R. P.,	O'Dell,	Welsh,
Elvey,	Jones,	O'Donnell, J. A.,	Wescott,
Eshback,	Kamyk,	O'Donnell, J. P.,	Whittaker,
Eshleman,	Keiser,	Oglivie,	Willaredt,
Esler,	Kelly,	Parlante,	Williams, A. D.,
Ewing,	Kernaghan,	Pashley,	Williams, E. S.,
Farabaugh,	Kessler,	Perry,	Wilt,
Fetterolf,	King,	Petrosky,	Wood,
Filo,	Klstler,	Piper,	Worley,
Fineman,	Klein,	Polaski,	Wynd,
Flynn,	Knecht,	Polen,	Yetter,
Forester,	Kooker,	Prendergast,	Zemmer,
Foor,	Kornick,	Price,	Zimmerman,
Fox,	Korns,	Pursley,	Andrews,

Speaker

NAYS—2

Jenkins, Wilt,

NOT VOTING—3

Lamb,	Mihm,	Reidenbach,	Trusio,
McCormack,	Odoristo,	Tomascik,	Willard,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading an consideration of House bill No. 1601, entitled.

An Act amending the "Second Class County Port Authority Act," approved April 6, 1956 (P. L. 1414), authorizing the authority to provide group and party services.

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Adams,	Fulmer,	Lee, A. M.,	Royer,
Anderson, J. H.,	Gailey,	Lee, K. B.,	Rubin,
Anderson, S. A.,	Gallagher,	Leonard,	Rudisill,
Arlene,	Gelfand,	Limper,	Rutherford,
Ashton,	George,	Lippincott,	Sakulsky,
Auker,	Gibb,	Long, Wm. Jas.,	Scarcelli,
Bachman,	Gibbons,	Long, Wm. Jos.,	Schaaf,
Backenstoe,	Goldstein, J. H.,	Lutty,	Schuster,
Blair,	Goldstein, M. H.,	Manbeck,	Seltzer,
Boles,	Goodrich,	Markley,	Shelton,
Bonner,	Gramlich,	Marsh,	Sherman,
Bossert,	Gray,	Maxwell,	Shupnik,
Bower,	Greenlee,	May,	Simmons,
Branca,	Gremminger,	McCandless,	Slack,
Breth,	Gross,	McCann,	Snare,
Buchanan,	Guesman,	McDevitt,	Stank,
Bush,	Guthrie,	McDonald,	Steckel,
Capano,	Hamilton,	McInroy,	Stimmel,
Capitolo,	Hankins,	McKeever,	Stiteler,
Cauley,	Hartley,	McLaughlin,	Stone,
Cianfrani,	Haudenshield,	McNally,	Strausser,
Cioffi,	Heavey,	Meholchick,	Sullivan, J. A.,
Clarke,	Helm,	Merry,	Sullivan, T. F.,
Comer,	Henzel,	Miller,	Taylor,
Cooley,	Hocker,	Mills,	Thompson,
Crossin,	Holl,	Monroe,	Tomascik,
Curwood,	Holliday,	Morley,	Tompkins,
Davis,	Holman,	Mullen,	Trusio,
Dengler,	Horst,	Munley,	Ujobal,
Dennison,	Irviss,	Murphy,	Varnier,
Donaldson,	Isaacs,	Murray,	Verona,
Dougherty,	Jenkins,	Musto,	Wall,
Doughten,	Jim,	Needham,	Walsh,
Down,	Johnson, A. W.,	O'Donnell, J. A.,	Wargo,
Edwards,	Johnson, R. P.,	O'Donnell, J. P.,	Weidner,
Eilberg,	Jones,	Oglivie,	Welsh,
Elvey,	Kamyk,	Parlante,	Wescott,
Eshback,	Keiser,	Pashley,	Whittaker,
Eshleman,	Kelly,	Perry,	Willaredt,
Esler,	Kernaghan,	Petrosky,	Williams, A. D.,
Ewing,	Kessler,	Piper,	Williams, E. S.,
Farabaugh,	King,	Polaski,	Wilt,
Fetterolf,	Kistler,	Polen,	Wood,
Filo,	Klein,	Prendergast,	Worley,
Fineman,	Knecht,	Price,	Wynd,
Flynn,	Kooker,	Pursley,	Yetter,
Forester,	Kornick,	Reibman,	Zemmer,
Foor,	Korns,	Reidenbach,	Zimmerman,
Fox,	Kramer,	Renwick,	Andrews,
Frascella,	Lamb,	Riley,	Speaker
Fry,	Lawson,	Rovansek,	

NAYS—4

Bowman, Heffner, Magee, O'Dell,

NOT VOTING—4

McCormack, Mihm, Odoristo, Willard,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1606, entitled:

An Act amending the act of May 12, 1887 (P. L. 96), entitled "A supplement to an act entitled 'An act supplementary to an act relative to burial grounds and cemeteries situated in incorporated boroughs' * * * further empowering courts to direct removal of remains in bor-

oughs cities and towns from burial grounds where interments have ceased or have become so neglected as to become a public nuisance or such remains interfere with the improvements extensions and interests of such cities boroughs or towns" extending the act to counties of the second class.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Adams,	Fry,	Lee, A. M.,	Riley,
Anderson, J. H.,	Fulmer,	Lee, K. B.,	Rovansek,
Anderson, S. A.,	Gailey,	Leonard,	Royer,
Arlene,	Gallagher,	Limper,	Rubin,
Ashton,	Gelfand,	Lippincott,	Rudisill,
Auker,	George,	Long, Wm. Jas.,	Rutherford,
Bachman,	Gibb,	Long, Wm. Jos.,	Sakulsky,
Backenstoe,	Gibbons,	Lutty,	Scarcelli,
Boles,	Goldstein, J. H.,	Magee,	Schaaf,
Bonner,	Goldstein, M. H.,	Manbeck,	Schuster,
Bossert,	Goodrich,	Markley,	Seltzer,
Bower,	Gramlich,	Marsh,	Shelton,
Bowman,	Gray,	Maxwell,	Sherman,
Branca,	Greenlee,	May,	Shupnik,
Breth,	Gremminger,	McCandless,	Simmons,
Buchanan,	Guesman,	McCann,	Slack,
Bush,	Guthrie,	McDevitt,	Snare,
Capano,	Hamilton,	McInroy,	Stank,
Capitolo,	Hankins,	McKeever,	Steckel,
Cauley,	Hartley,	McLaughlin,	Stimmel,
Clanfrani,	Haudenshield,	McNally,	Stiteler,
Cioffi,	Heavey,	Meholchick,	Stone,
Comer,	Heffner,	Merry,	Sullivan, J. A.,
Cooley,	Helm,	Miller,	Sullivan, T. F.,
Crossin,	Henzel,	Mills,	Taylor,
Curwood,	Hocker,	Monroe,	Thompson,
Davis,	Holl,	Morley,	Tomascik,
Dengler,	Holliday,	Mullen,	Tompkins,
Dennison,	Holman,	Munley,	Trusio,
Donaldson,	Irviss,	Murphy,	Ujobai,
Dougherty,	Isaacs,	Murray,	Varner,
Doughten,	Jenkins,	Musto,	Verona,
Down,	Jim,	Needham,	Wall,
Edwards,	Johnson, A. W.,	O'Donnell, J. A.,	Walsh,
Eilberg,	Johnson, R. P.,	O'Donnell, J. P.,	Wargo,
Elvey,	Jones,	Ogilvie,	Weidner,
Eshback,	Kamyk,	Parlante,	Welsh,
Eshleman,	Keiser,	Pashley,	Wescott,
Esler,	Kelly,	Perry,	Whittaker,
Ewing,	Kernaghan,	Petrosky,	Willaredt,
Farabaugh,	Kessler,	Piper,	Williams, A. D.,
Fetterolf,	King,	Polaski,	Williams, E. S.,
Filo,	Klein,	Polen,	Wilt,
Fineman,	Knecht,	Prendergast,	Wood,
Flynn,	Kooker,	Price,	Wynd,
Forester,	Kornick,	Pursley,	Yetter,
Foor,	Korns,	Reibman,	Zember,
Fox,	Kramer,	Reidenbach,	Zimmerman,
Frascella,	Lawson,	Renwick,	Andrews,

Speaker

NAYS—5

Gross,	Kistler,	O'Dell,	Worley,
Horst,			

NOT VOTING—9

Blair,	McCormack,	Mihm,	Strausser,
Clarke,	McDonald,	Odorisio,	Willard,
Lamb,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1619, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), authorizing the printing and reproducing of study and curriculum materials by county commissioners in second class counties and providing for reimbursements therefor.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Adams,	Fry,	Lawson,	Riley,
Anderson, J. H.,	Fulmer,	Lee, A. M.,	Rovansek,
Anderson, S. A.,	Gailey,	Lee, K. B.,	Royer,
Arlene,	Gallagher,	Leonard,	Rubin,
Ashton,	George,	Limper,	Rudisill,
Auker,	Gibb,	Lippincott,	Rutherford,
Bachman,	Gibbons,	Long, Wm. Jas.,	Sakulsky,
Backenstoe,	Goldstein, J. H.,	Long, Wm. Jos.,	Scarcelli,
Blair,	Goldstein, M. H.,	Lutty,	Schaaf,
Boles,	Goodrich,	Magee,	Schuster,
Bonner,	Gramlich,	Manbeck,	Seltzer,
Bossert,	Gray,	Markley,	Shelton,
Bower,	Greenlee,	Marsh,	Sherman,
Bowman,	Gremminger,	Maxwell,	Shupnik,
Branca,	Gross,	May,	Simmons,
Breth,	Guesman,	McCandless,	Slack,
Buchanan,	Guthrie,	McCann,	Snare,
Bush,	Hamilton,	McDevitt,	Stank,
Capano,	Hankins,	McInroy,	Steckel,
Capitolo,	Hartley,	McKeever,	Stimmel,
Cauley,	Haudenshield,	McLaughlin,	Stiteler,
Clanfrani,	Heavey,	McNally,	Stone,
Cioffi,	Heffner,	Meholchick,	Strausser,
Comer,	Helm,	Merry,	Sullivan, J. A.,
Cooley,	Henzel,	Miller,	Sullivan, T. F.,
Crossin,	Hocker,	Mills,	Taylor,
Curwood,	Holl,	Monroe,	Thompson,
Davis,	Holliday,	Morley,	Tomascik,
Dengler,	Holman,	Mullen,	Tompkins,
Dennison,	Horst,	Munley,	Trusio,
Donaldson,	Irviss,	Murphy,	Ujobai,
Dougherty,	Isaacs,	Murray,	Varner,
Doughten,	Jenkins,	Musto,	Verona,
Down,	Jim,	Needham,	Wall,
Edwards,	Johnson, A. W.,	O'Donnell, J. A.,	Walsh,
Eilberg,	Johnson, R. P.,	O'Donnell, J. P.,	Wargo,
Elvey,	Jones,	Ogilvie,	Weidner,
Eshback,	Kamyk,	Parlante,	Welsh,
Eshleman,	Keiser,	Pashley,	Wescott,
Esler,	Kelly,	Perry,	Whittaker,
Ewing,	Kernaghan,	Petrosky,	Willaredt,
Farabaugh,	Kessler,	Piper,	Williams, A. D.,
Fetterolf,	King,	Polaski,	Williams, E. S.,
Filo,	Klein,	Polen,	Wilt,
Fineman,	Knecht,	Prendergast,	Wood,
Flynn,	Kooker,	Price,	Worley,
Forester,	Kornick,	Pursley,	Wynd,
Foor,	Korns,	Reibman,	Yetter,
Fox,	Kramer,	Reidenbach,	Zimmerman,
Frascella,	Lamb,	Renwick,	Andrews,

Speaker

NAYS—1

O'Dell,

NOT VOTING—7

Gelfand,	McDonald,	Odorisio,	Zember,
McCormack,	Mihm,	Willard,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1630, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing a further limitation on the taxing authority of school districts lying in more than one county.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Education for the purpose of further study and possible amendment.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 65, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code," making the sale of regrooved tires without notice thereof a crime.

On the question,

Will the House agree to the bill on third reading?

Mr. RENWICK asked unanimous consent to offer amendments to this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Title, page 1, next to last line of Title, by inserting after "tires" for passenger automobiles or motorcycles

Amend Sec. 1 (Sec. 898), page 1, line 3, by inserting after "Tires" For Passenger Automobiles and Motorcycles

Amend Sec. 1 (Sec. 898), page 2, line 1, by striking out "motor vehicle" and inserting: passenger automobile

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 94, entitled:

An Act amending the act of June 25, 1895 (P. L. 275), entitled "City Classification Law," further regulating the change of classification of cities changing the method of reclassifying cities of the second class A upon a decrease in population authorizing retention of existing classification authorizing elections and permitting selection of a form of city government in such cases from among several optional plans.

On the question,

Will the House agree to the bill on third reading?

Mr. NEEDHAM asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Sec. 3 (Sec. 7), page 7, line 15, by inserting after "and"

Whenever by the return of any such election it shall appear that a majority favor retention of existing classification or there is a majority against the different form of city government recommended by the charter commission, the city shall retain its existing classification and

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 99, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," regulating the issuance of operators' licenses to persons between sixteen and eighteen years of age restricting their driving privileges and providing penalties.

On the question,

Will the House agree to the bill on third reading?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Montgomery, Mr. Fetterolf.

Mr. FETTEROLF. Mr. Speaker, originally I intended to offer two sets of amendments to this bill. However, the one which I consider to be controversial and which I was informed by the majority leader to be controversial I am withdrawing. The second amendment I consider not to be controversial but I do not know the position of the majority leader.

Mr. McCANN. Mr. Speaker, are these the amendments that strike out the word "highway" and put in "public road"?

The SPEAKER pro tempore. That is correct, Mr. McCann.

Mr. McCANN. Could I interrogate the gentleman one moment?

This would then apply to every road in every municipality except the bill as it was written pertained to State highways only. Is that correct? This would apply to every highway.

Mr. FETTEROLF. Mr. Speaker, the gentleman is correct. The bill as written without the amendment says "on the highways of the Commonwealth." That is x'd out and replaced with the words "on all public highways." That is in order to take care of situations where towns border other State lines to eliminate driving in the other State with a Pennsylvania junior's driver's license.

Mr. FETTEROLF asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Sec. 2 (Sec. 604.1), page 5 lines 9 and 10, by striking out "the highways of the Commonwealth" and inserting: any public highway

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

Mr. McCANN. Mr. Speaker, we are going to agree to the amendment. As I understand it, in checking this out it will make this bill pertain to every road, every public highway, in every municipality including State roads. Therefore, we will accept the amendment.

On the question recurring,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Mr. McCANN. Mr. Speaker, I request permission to return to page 4.

The SPEAKER pro tempore. What bill does the gentleman desire to consider on page 4?

Mr. McCANN. May I ask the minority leader if House bill 518 now in its original form that was caucused on is acceptable to be voted on? This bill was caucused on in its prior print and the present print is as it was originally.

Mr. TOMPKINS. Mr. Speaker, I understand amendments were put in here this week restoring the bill to its original form. Am I correct on that?

The SPEAKER pro tempore. That is what the majority leader stated.

Mr. TOMPKINS. Well, Mr. Speaker, we have no particular objection to that if the bill now is in such simplified form that we all know what it is about and that we can understand the highway markings provided in the bill.

We are very interested, of course, in having highway markings that everybody can understand. Now if the bill provides that, we are all for it.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 518, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), further providing for no passing zones.

On the question,

Shall the bill pass finally?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Delaware, Mr. Lippincott, who desires to interrogate the gentleman from York, Mr. Gailey.

Will the gentleman permit himself to be interrogated?

Mr. GAILEY. I shall, Mr. Speaker.

Mr. LIPPINCOTT. Mr. Speaker, I would like the gentleman to explain, and I really do not know the answer to this question, will this bill prohibit passing over a solid white line if a solid white line is painted on a highway?

Mr. GAILEY. Mr. Speaker, it is my understanding

that this act as it is now before us gives the secretary of highways such powers to designate no-passing zones and to mark the highways by painting and by placing signs to so indicate. Now if the no-passing zone is one-eighth of a mile in length, then, of course, in addition, it need not necessarily be marked with paint, but there must be signs posted at least one-eighth of a mile along its route. So it is my understanding that this would not permit the secretary of highways to designate no-passing zones merely by the use of paint on the highways.

Mr. LIPPINCOTT. In other words, there must be signs as well, or at least there must be no-passing zone signs?

Mr. GAILEY. That is my understanding, Mr. Speaker.

Mr. LIPPINCOTT. I thank the gentleman.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Centre, Mr. Fulmer.

Mr. FULMER. Mr. Speaker, I desire to interrogate the gentleman from York, Mr. Gailey.

The SPEAKER pro tempore. Will the gentleman from York, Mr. Gailey, permit himself to be interrogated?

Mr. GAILEY. I shall, Mr. Speaker.

Mr. FULMER. Mr. Speaker, will the gentleman from York, Mr. Gailey, advise me, to the best of his knowledge, if today a motorist is allowed to pass even though there is a solid white line?

Mr. GAILEY. It has always been my understanding, Mr. Speaker, that painted lines on the highway are for the convenience of the motorists only and that in the absence of no-passing signs actually placed along the side of the road, he can pass over them with impunity, provided, however, he has sufficient clear vision ahead of him to enable him to make such pass and he is not in violation of other sections of the code. That is my understanding.

Mr. FULMER. Would the gentleman from York, Mr. Gailey, advise me and the members of the House whether there will be any design criterion for these signs which are referred to in this bill? For example, would you have the overhead signs four feet off the ground, or would you have any type of specifications to go with these no-passing signs.

Mr. GAILEY. There are none, Mr. Speaker, and, of course, this is in accordance with the general powers that are vested in the secretary of highways to design such road signs. I think the gentleman knows that all highway markings are standard at the present time and are done under the direction of the secretary of highways. He proposes the standards for them. And, of course, one of the reasons for not putting forth specific standards is the attempt by all the States in the Union to bring their signs into uniformity.

Mr. FULMER. Mr. Speaker, will the gentleman advise us, then, if a person were coming along the highway where the traffic is congested in a line of traffic and here's a sign, for example, five feet off the ground and at this point the driver desires to pass. Now when he passes the car in front of him, it happens to be in the place where the sign is, or the view of the sign is restricted. Now are you saying that if this bill were enacted into law the person would have caused a violation?

Mr. GAILEY. I am not certain I understand the gentleman. Do I understand him to say that if for some reason the view of the sign is restricted so that it is concealed from the motorist?

Mr. FULMER. That is right.

Mr. GAILEY. Then would he be in violation if he passed in such a zone?

Mr. FULMER. That's right.

Mr. GAILEY. It is my feeling, Mr. Speaker, that under those circumstances it would be purely a matter for the court to decide. I think this would be proper grounds for appeal from such conviction if he were prosecuted for it. But this is an answer that other lawyers may quarrel with.

Mr. FULMER. I thank the gentleman. Mr. Speaker, I have no objection to trying to make our highways safer for the driving public. However, I am becoming acutely aware of the signs along the highways that cannot be observed by the traveling public. There are signs, for example, that say "passing in the left lane only." Now this is all right if you can see this sign, but if you are coming down the highway and the sign is obstructed by the moving traffic, then the officer, for example, could arrest you for having passed at this particular point. It seems to me that either you ought to provide in the law that these signs have to be visible or that we ought to be sure the Department of Highways is going to make these signs more visible.

I think this may be a step in the right direction and I will take the word of the gentleman from York, Mr. Gailey, that this is the intent and therefore will vote for the bill.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Dauphin, Mr. Bowman.

Mr. BOWMAN. I would like to interrogate the gentleman from York, Mr. Gailey.

The SPEAKER pro tempore. Will the gentleman from York, Mr. Gailey, permit himself to be interrogated?

Mr. GAILEY. I shall, Mr. Speaker.

Mr. BOWMAN. Mr. Speaker, would the gentleman please tell me that if this bill passes, in what respect is the existing law changed?

Mr. GAILEY. I think, Mr. Speaker, it gives the secretary of highways the power to indicate by markings on the highways as well as the signs which are specifically proposed to be done in the bill. In other words, at the present time it is my understanding no-passing zones may be indicated only by the use of signs. This gives him the legal power to designate such no-passing zones by use of paint in addition to the signs that are already being used.

Mr. BOWMAN. I had hoped that that would be accomplished by the legislation but I do not believe it is. If the gentleman will look at page 3, line 17, beginning with the last word on line 17, it indicates to me that any no-passing zone shall have to have these signs erected which is precisely the present law.

Mr. GAILEY. I am sorry. I did not understand the gentleman. Will he repeat the question? I am not sure it was a question. I think it was a statement. Will he repeat his statement?

Mr. BOWMAN. As I read the last word on line 17 and the next two lines, 18 and 19, it indicates to me that every no-passing zone must have signs.

Mr. GAILEY. That is correct.

Mr. BOWMAN. Well, is that not the present law?

Mr. GAILEY. It is my understanding that that is so, Mr. Speaker.

Mr. BOWMAN. Well, then, how have we changed the law?

Mr. GAILEY. Well, as I attempted to explain before, perhaps obscurely, this gives the secretary of highways the right to designate it by paint in addition to no-passing signs. In other words, he has no authority, as I understand it, at the present time to place these markings on the highway clearly to designate no-passing zones. But this gives him that additional right as well as the signs which are presently used.

Mr. BOWMAN. I thank the gentleman from York.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Dauphin, Mr. Bowman.

Mr. BOWMAN. Mr. Speaker, I was hoping that by this legislation the secretary of highways would be given two distinct alternate rights, to designate no-passing zones by signs. As I read this bill it does not do anything more than the present law provides, with one possible exception. That he has the right, in addition to putting the signs up, to put a marking on the road, which to me is not accomplishing what I believe to be the intent and what I considered to be a good purpose, because, as far as I know, Pennsylvania is the only State in the Nation which does not give legal effect to the paint markings on the road.

I had hoped that by this legislation, paint markings in themselves, quite apart from signs, would have some legal significance and if you crossed them or violated the markings you would be in violation of the law, but I do not think this bill does it. Thank you.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Adams,	Fulmer,	Lawson,	Renwick,
Anderson, J. H.,	Galley,	Lee, A. M.,	Riley,
Anderson, S. A.,	Gallagher,	Lee, K. B.,	Rivasek,
Arlene,	Gelfand,	Leonard,	Royer,
Ashton,	George,	Limper,	Rubin,
Auker,	Gibb,	Lippincott,	Rudisill,
Bachman,	Gibbons,	Long, Wm. Jas.,	Rutherford,
Backenstoe,	Goldstein, J. H.,	Long, Wm. Jos.,	Sakulsky,
Blair,	Goldstein, M. H.,	Lutty,	Scarcell,
Boies,	Goodrich,	Magee,	Schaaf,
Bonner,	Gramlich,	Manbeck,	Schuster,
Bossert,	Gray,	Markley,	Shelton,
Bower,	Greenlee,	Marsh,	Sherman,
Bowman,	Gremminger,	Maxwell,	Shupnik,
Branca,	Gross,	May,	Simmons,
Breth,	Guesman,	McCandless,	Slack,
Buchanan,	Guthrie,	McCann,	Snare,
Bush,	Hamilton,	McCormack,	Stank,
Capano,	Hanks,	McDevitt,	Steckel,
Capitolo,	Hartley,	McDonald,	Stimmel,
Cauley,	Haudenshield,	McInroy,	Stiteler,
Cianfrani,	Heavey,	McKeever,	Stone,
Clarke,	Hefner,	McLaughlin,	Strausser,
Comer,	Helm,	McNally,	Sullivan, J. A.,
Cooley,	Henzel,	Meholchick,	Sullivan, T. F.,
Crossin,	Hocker,	Merry,	Taylor,
Curwood,	Holman,	Miller,	Thompson,
Davis,	Holl,	Mills,	Tomascik,
Dennison,	Holliday,	Monroe,	Tompkins,
Dengler,	Horst,	Morley,	Trusio,
Donaldson,	Irlis,	Mullen,	Ujohal,
Dougherty,	Isaacs,	Munley,	Varnier,
Doughten,	Jenkins,	Murphy,	Verona,
Down,	Jim,	Murray,	Wall,
Edwards,	Johnson, A. W.,	Musto,	Walsh,
Ellberg,	Johnson, R. P.,	Needham,	Wargo,
Elvey,	Jones,	O'Donnell, J. A.,	Weidner,
Eshback,	Kamyk,	O'Donnell, J. P.,	Welsh,
Eshleman,	Kelser,	Ogilvie,	Wescott,
Ester,	Kelly,	Parlante,	Whittaker,

Ewing,	Kernaghan,	Pashley,	Willaredt,
Farabaugh,	Kessler,	Perry,	Williams, A. D.
Fetterolf,	King,	Petrosky,	Williams, E. S.
Filo,	Kistler,	Piper,	Wilt,
Fineman,	Klein,	Polaski,	Wood,
Flynn,	Knecht,	Polen,	Worley,
Foerster,	Kooker,	Prendergast,	Wynd,
Foor,	Kornick,	Price,	Yetter,
Fox,	Korns,	Pursley,	Zemmer,
Frascella,	Kramer,	Reibman,	Zimmerman,
Fry,	Lamb,	Reidenbach,	Andrews.

Speaker

NAYS—1

O'Dell,

NOT VOTING—5

Cioffi,	Odorisio,	Seltzer,	Willard,
Mihm,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1512, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), further providing for the building or rebuilding of schools and the preparation of drawings for such schools and repealing certain provisions concerning heating and ventilating regulations.

On the question,

Shall the bill pass finally?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be re-committed to the Committee on Select Committee on Education.

The motion was agreed to.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 386, entitled:

An Act amending the act of June 17, 1913 (P. L. 507), entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes * * *" changing the date for transmitting returns except in cities coextensive with counties.

And said bill having been read at length the third time, considered and agreed to.

On the questions,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Adams,	Fulmer,	Lee, A. M.,	Riley,
Anderson, J. H.,	Galley,	Lee, K. B.,	Rovanssek,
Anderson, S. A.,	Gallagher,	Leonard,	Royer,
Arlene,	Gelfand,	Limper,	Rubin,
Ashton,	George,	Lippincott,	Rudisill,
Auker,	Gibb,	Long, Wm. Jas.,	Rutherford,
Bachman,	Gibbons,	Long, Wm. Jos.,	Sakulsky,
Backenstoe,	Goldstein, J. H.,	Lutty,	Scarcell,
Blair,	Goldstein, M. H.,	Magee,	Schuster,
Boles,	Goodrich,	Manbeck,	Seltzer,
Bonner,	Gramlich,	Markley,	Shelton,

Bossert,	Gray,	Marsh,	Sherman,
Bower,	Greenlee,	Maxwell,	Shupnik,
Bowman,	Gremming,	May,	Simmons,
Branca,	Gross,	McCann,	Slack,
Breth,	Guesman,	McCormack,	Snare,
Buchanan,	Guthrie,	McDevitt,	Stank,
Bush,	Hamilton,	McDonald,	Steckel,
Capano,	Hankins,	McInroy,	Stimmel,
Capitolo,	Hartley,	McKeever,	Stitteler,
Cauley,	Haudenshield,	McLaughlin,	Stone,
Cianfrani,	Heavey,	McNally,	Strausser,
Cioffi,	Heffner,	Meholchick,	Sullivan, J. A.,
Clarke,	Helm,	Merry,	Sullivan, T. F.,
Comer,	Henzel,	Miller,	Taylor,
Cooley,	Hocker,	Mills,	Thompson,
Crossin,	Holl,	Monroe,	Tomasick,
Curwood,	Holliday,	Morley,	Tompkins,
Davis,	Holman,	Mullen,	Trusio,
Dengler,	Horst,	Munley,	Ujobal,
Dennison,	Irvic,	Murphy,	Varner,
Donaldson,	Isaacs,	Murray,	Verona,
Dougherty,	Jenkins,	Musto,	Wall,
Doughten,	Jim,	Needham,	Walsh,
Down,	Johnson, A. W.,	O'Dell,	Wargo,
Edwards,	Johnson, R. P.,	O'Donnell, J. A.,	Weidner,
Ellberg,	Jones,	O'Donnell, J. P.,	Welsh,
Elvey,	Kamyk,	Ogilvie,	Wescott,
Eshback,	Kelser,	Parlante,	Whittaker,
Eshleman,	Kelly,	Pashley,	Willaredt,
Esler,	Kernaghan,	Perry,	Williams, A. D.,
Ewing,	Kessler,	Petrosky,	Williams, E. S.,
Farabaugh,	King,	Piper,	Wilt,
Fetterolf,	Kistler,	Polaski,	Wood,
Filo,	Klein,	Polen,	Worley,
Fineman,	Knecht,	Prendergast,	Wynd,
Flynn,	Kooker,	Price,	Yetter,
Foerster,	Kornick,	Pursley,	Zember,
Foor,	Korns,	Reibman,	Zimmerman,
Fox,	Kramer,	Reidenbach,	Andrews,
Frascella,	Lamb,	Renwick,	Speaker
Fry,	Lawson,		

NAYS—0

NOT VOTING—5

McCandless,	Odorisio,	Schaaf,	Willard,
Mihm,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 607.

An Act Amending the act of June 24, 1939 (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth" authorizing the production and performance of drama and civil light opera between certain hours on Sundays in cities of the second class.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The clerk will read the amendments.

The clerk read the amendments as follows:

Amend Title, page 1, line 3, by inserting after the word "of" the words "drama and"; line 4, by striking out at the beginning of the line the word "civil" and inserting in

lieu thereof the word "civic"; Section 1, page 3, line 6, by inserting after the word "of" the words "drama and" and by striking out immediately thereafter the word "civil" and inserting in lieu thereof the word "civic."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Cameron, Mr. Tompkins.

Mr. TOMPKINS. Mr. Speaker, this bill as it passed the House provided for civic light operas in the city of Pittsburgh. The Senate amendment is adding "drama" to it. The members on our side of the House were all in concurrence on this bill and the members on this side are on their own.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Greene, Mr. McCann.

Mr. McCANN. The words that were inserted dealing with drama in the bill provide for the operation of the Pittsburgh Playhouse. This particular operation in the city of Pittsburgh deals with the live drama in the Playhouse operation in summer. The item covered in the original bill pertained to civic light opera which was in the original bill as it left the House. Even though the members are on their own, may I humbly request that they do vote in the affirmative and support the Senate amendments and pass this bill for the purpose of civic light opera and the drama in the Pittsburgh Playhouse.

On the question recurring,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—175

Adams,	Fry,	Leonard,	Rovansek,
Anderson, J. H.,	Fulmer,	Limper,	Royer,
Anderson, S. A.,	Galley,	Lippincott,	Rubin,
Arlene,	Gelfand,	Long, Wm. Jas.,	Rudisill,
Ashton,	Gibb,	Long, Wm. Jos.,	Rutherford,
Bachman,	Gibbons,	Lutty,	Sakulsky,
Backenstoe,	Goldstein, M. H.,	Magee,	Scarcelli,
Blair,	Goodrich,	Markley,	Schaaf,
Boles,	Gramlich,	Marsh,	Schuster,
Bonner,	Gray,	Maxwell,	Shelton,
Bower,	Greenlee,	May,	Sherman,
Branca,	Gremmlinger,	McCann,	Shupnik,
Bush,	Guesman,	McCormack,	Stimmons,
Capano,	Guthrie,	McDevitt,	Slack,
Capitolo,	Hamilton,	McDonald,	Snare,
Caulley,	Hankins,	McKeever,	Stank,
Cianfrani,	Hartley,	McLaughlin,	Stimmel,
Cioffi,	Haudenshield,	McNally,	Stiteler,
Clarke,	Heavey,	Meholchick,	Stone,
Comer,	Helm,	Merry,	Sullivan, J. A.,
Cooley,	Holman,	Mills,	Sullivan, T. F.,
Crossin,	Horat,	Monroe,	Taylor,
Curwood,	Irlis,	Morley,	Thompson,
Davis,	Isaacs,	Mullen,	Tomasick,
Dengler,	Jenkins,	Munley,	Tompkins,
Dennison,	Jim,	Murphy,	Trusio,
Donaldson,	Johnson, A. W.,	Murray,	Ujober,
Dougherty,	Johnson, R. P.,	Musto,	Varnar,
Doughten,	Jones,	Needham,	Verona,
Edwards,	Kamyk,	O'Donnell, J. A.,	Wargo,
Ellberg,	Kelly,	O'Donnell, J. P.,	Weldner,
Elvey,	Kernaghan,	Parlante,	Welsh,
Eshback,	Kessler,	Pashley,	Wescott,
Eshleman,	King,	Perry,	Whittaker,
Esler,	Kistler,	Petrosky,	Willaredt,
Ewing,	Klein,	Piper,	Williams, A. D.,
Farebaugh,	Knecht,	Polaski,	Williams, E. S.,
Fetterolf,	Krooker,	Polen,	Wilt,

Filo,
Fineman,
Flynn,
Foerster,
Fox,
Frascella,

Kornick,
Kramer,
Lamb,
Lawson,
Lee, A. M.,
Lee, K. B.,

Prendergast,
Pursley,
Reibman,
Reldenbach,
Renwick,
Riley,

Worley,
Wynd,
Yetter,
Zember,
Andrews,
Speaker

NAYS—29

Auker,
Bossert,
Bowman,
Breth,
Buchanan,
Down,
Foor,
George,

Goldstein, J. H.,
Gross,
Heffner,
Henzel,
Hocker,
Holl,
Holliday,
Kelser,
Korns,
Manbeck,
McCandless,
McInroy,
Miller,
O'Dell,

Ogilvie,
Price,
Seltzer,
Strausser,
Wall,
Wood,
Zimmerman,

NOT VOTING—6

Gallagher,
Mihm,

Odorisio,
Steckel,

Walsh,

Willard,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, that the clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 637.

An Act Authorizing the Governor to provide for disaster relief under certain circumstances authorizing him to transfer certain funds to a special fund for that purpose and making an appropriation.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The clerk will read the amendments.

The clerk read the amendments as follows:

Amend Section 1, page 2, by striking out lines 6, 7 and 8, as follows: and inserting in lieu thereof the following:

As used in this act disaster or emergency conditions shall mean those conditions which seriously affect the welfare of a substantial number of citizens of the commonwealth and which were caused by forces beyond the control of man or were caused by factors that were not foreseen and were not known to exist when appropriation bills were enacted.

As used in this act a major disaster occurs or emergency conditions exist when the governor officially proclaims that he has made an investigation and finding to that effect and shall cease when the governor officially proclaims that a major disaster or emergency conditions ceases to exist.

Section 2, page 3, line 4, by striking out after the word "effect" the word "immediately," and inserting in lieu thereof the word and figures "June 1, 1961."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

PARLIAMENTARY INQUIRY

The SPEAKER pro tempore. For what purpose does the gentleman from Delaware, Mr. Lippincott, rise?

Mr. LIPPINCOTT. Mr. Speaker, I rise to a point of parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. LIPPINCOTT. Mr. Speaker, for the benefit of a number of members on our side of the House, I would like the Chair to rule whether we are voting on the amendments inserted by the Senate or whether we are voting on the bill itself as amended.

The SPEAKER pro tempore. The Chair will read the portion of the rule which applies to the question asked by the gentleman from Delaware. Rule 76 of the House:

"When acting on bills or joint resolutions amended by the Senate, the amendments shall be read and the question put, on the concurrence in the amendments."

Mr. LIPPINCOTT. Well, Mr. Speaker, suppose the Senate completely changed the purpose of the bill by the amendments, would we not then be voting on a new bill in its amended form rather than on the amendments themselves?

The SPEAKER pro tempore. While the gentleman's statement is partially correct, you would still be voting on the amendments inserted in the bill by the Senate and while those amendments might change completely the original intent of the bill, you would still be voting on the amendments inserted by the Senate, either to agree or not to agree.

Mr. LIPPINCOTT. And yet, to adopt an amendment normally, only a simple majority is required, while a constitutional majority is required in this case, is that correct?

The SPEAKER pro tempore. A constitutional majority is required to concur in the Senate amendments. That is a provision in the Constitution.

Mr. LIPPINCOTT. I thank the Chair.

The SPEAKER pro tempore. That is Article III, section 5: "No amendment to bills by one House shall be concurred in by the other except by a majority of the members elected thereto."

The Chair recognizes the gentleman from Cameron, Mr. Tompkins.

Mr. TOMPKINS. Mr. Speaker, I should like to interrogate the majority leader, please.

The SPEAKER pro tempore. Will the majority leader permit himself to be interrogated?

Mr. McCANN. Mr. Speaker, on this bill may I yield to the gentleman from Philadelphia, Mr. Fineman?

The SPEAKER pro tempore. Will the gentleman from Philadelphia, Mr. Fineman, permit himself to be interrogated?

Mr. FINEMAN. I shall, Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, one of the amendments inserted in this bill on page 3, line 4, is that instead of the act becoming effective immediately, they have made it effective June 1, 1961. Is there some disaster defined in this act that they are trying to cover by this bill?

Mr. FINEMAN. I am sorry. Would the gentleman repeat the last part of that?

Mr. TOMPKINS. Is there some disaster which has occurred since June 1 of this year that they are trying to cover in this bill?

Mr. FINEMAN. Not that I know of.

Mr. TOMPKINS. I am scratching my head and wondering why they make it effective on that date instead of letting it go and making it effective immediately.

Mr. FINEMAN. I do not have the answer to that. It puzzled me also, but in my mind it is inconsequential.

Mr. TOMPKINS. I thank the gentleman.

Mr. Speaker, we are asking the members on our side of the House to vote "no" on this motion to concur. We think the definition inserted by the Senate, defining diaster, is entirely too liberal. We have no objection to the creation of the disaster fund of \$5 million, but we think the definition in connection with what constitutes a disaster is a little bit too loose.

Therefore, we are asking the members on this side of the House to vote "no" on this concurrence.

On the question recurring,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—110

Anderson, S. A.,	Galley,	McCann,	Reidenbach,
Arlene,	Gallagher,	McCormack,	Renwick,
Bachman	Gelfand,	McDevitt,	Riley,
Boles,	Gray,	McDonald	Rovanssek,
Bonner,	Greenlee,	McKeever,	Rubin,
Branca,	Gremminger,	McLaughlin,	Rudisill,
Breth,	Guesman,	McNally,	Sakulsky,
Bush,	Hamilton,	Meholchick,	Scarcelli,
Capano,	Hankins,	Mills,	Schaaf,
Capitolo,	Hartley,	Monroe,	Schuster,
Cauley,	Heavey,	Morley,	Shelton,
Cianfrani,	Irvis,	Mullen,	Sherman,
Cioffi,	Jenkins,	Munley,	Shupnik,
Clarke,	Jim,	Murphy,	Stank,
Comer,	Jones,	Murray,	Stone,
Cooley,	Kamyk,	Musto,	Sullivan, J. A.,
Crossin,	Kelly,	Needham,	Sullivan, T. F.,
Curwood,	Klein,	O'Donnell, J. A.,	Taylor,
Dougherty,	Kornick,	O'Donnell, J. P.,	Tomasck,
Doughten,	Kramer,	Parlante,	Trusio,
Eilberg,	Lamb,	Pashley,	Verona,
Farabaugh,	Lawson,	Perry,	Walsh,
Filo,	Leonard,	Petrosky,	Wargo,
Fineman,	Limper,	Polaski,	Welsh,
Flynn,	Long, Wm. Jas.,	Polen,	Whittaker,
Foerster,	Long, Wm. Jos.,	Prendergast,	Yetter,
Frascella,	Lutty,	Reibman,	Andrews,
Fry,	Maxwell,		Speaker

NAYS—96

Adams,	Fulmer,	King,	Seltzer,
Anderson, J. H.	George,	Kistler,	Simmons,
Ashton,	Gibb,	Knecht,	Slack,
Auker,	Gibbons,	Kooker,	Snare,
Backenstoe,	Goldstein, J. H.,	Korns,	Steckel,
Blair,	Goldstein, M. H.,	Lee, A. M.,	Stimmel,
Bossert,	Goodrich,	Lee, K. B.,	Stiteler,
Bower,	Gramlich,	Lippincott,	Strausser,
Bowman,	Gross,	Magee,	Thompson,
Buchanan,	Guthrie,	Manbeck,	Tompkins,
Davis,	Haudenshield,	Markley,	Ujobal,
Dengler,	Heim,	Marsh,	Varner,
Dennison,	Henzel,	May,	Wall,
Donaldson,	Hocker,	McCandless,	Weidner,
Down,	Holl,	McInroy,	Wescott,
Edwards,	Holliday,	Merry,	Willaredt,
Elvey,	Holman,	Miller,	Williams, A. D.,
Eshback,	Horst,	O'Dell,	Williams, E. S.,
Eshleman,	Isaacs,	Ogilvie,	Wilt,
Esler,	Johnson, A. W.,	Piper,	Wood,
Ewing,	Johnson, R. P.,	Price,	Worley,
Fetterolf,	Kelser,	Pursley,	Wynd,
Foor,	Kernaghan,	Royer,	Zember,
Fox,	Kessler,	Rutherford,	Zimmerman,

NOT VOTING—4

Heffner,	Mihm,	Odoriso,	Willard,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, that the clerk inform the Senate accordingly.

FORMER MEMBER WELCOMED

The SPEAKER pro tempore. While the clerk is tabulating the vote, the Chair would like at this time to call attention to the fact that we have a former member of this House present in the hall of the House today, the Honorable Andrew T. Fenrick, from Allegheny County.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate being introduced, returned bill from the House of representatives numbered and entitled as follows:

HOUSE BILL No. 680.

An Act amending the act of May 1, 1933 (P. L. 103), entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" authorizing disturbing the peace to be defined and penalized and providing for disposition of such penalties.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The clerk will read the amendments.

The clerk read the amendments as follows:

Amend Section 1, page 2, line 19, by inserting after the word "thereof" the words "but such penalties shall not be in excess of twenty-five dollars."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Adams,	Gallagher,	Limper,	Rovansek,
Anderson, J. H.,	Gelfand,	Lippincott,	Royer,
Anderson, S. A.,	George,	Long, Wm. Jas.,	Rubin,
Arlene,	Gibb,	Long, Wm. Jos.,	Rudisill,
Ashton,	Gibbons,	Lutty,	Rutherford,
Auker,	Goldstein, J. H.,	Magee,	Sakulsky,
Bachman,	Goldstein, M. H.,	Manbeck,	Scarcelli,
Backenstoe,	Goodrich,	Markley,	Schaaf,
Blair,	Gramlich,	Marsh,	Schuster,
Bonner,	Gray,	Maxwell,	Seltzer,
Bossert,	Greenlee,	May,	Shelton,
Bower,	Gremminger,	McCandless,	Sherman,
Bowman,	Gross,	McCann,	Shupnik,
Branca,	Guthrie,	McCormack,	Simmons,
Breth,	Hamilton,	McDevitt,	Slack,
Buchanan,	Hankins,	McDonald,	Snare,
Bush,	Hartley,	McInroy,	Stank,
Capano,	Haudenshield,	McKeever,	Steckel,
Capitolo,	Heavey,	McLaughlin,	Stimmel,
Caulley,	Heffner,	McNally,	Stiteler,
Cianfrani,	Helm,	Meholchick,	Stone,
Cioffi,	Henzel,	Merry,	Strausser,
Clarke,	Hocker,	Miller,	Sullivan, J. A.,
Comer,	Holl,	Mills,	Sullivan, T. F.,
Cooley,	Holliday,	Monroe,	Taylor,
Crossin,	Holman,	Morley,	Thompson,

Curwood,	Horst,	Mullen,	Tomascik,
Davis,	Irvls,	Munley,	Tompkins,
Dengler,	Isaacs,	Murphy,	Trusto,
Dennison,	Jenkins,	Murray,	Ujobal,
Donaldson,	Jim,	Musto,	Varner,
Dougherty,	Johnson, A. W.,	Needham,	Verona,
Doughten,	Johnson, R. P.,	O'Dell,	Wall,
Down,	Jones,	O'Donnell, J. A.,	Walsh,
Edwards,	Kamyk,	O'Donnell, J. P.,	Wargo,
Eilberg,	Kelser,	Ogilvie,	Weidner,
Elvey,	Kelly,	Parlante,	Welsh,
Eshback,	Kernaghan,	Pashley,	Wescott,
Eshleman,	Kessler,	Perry,	Whittaker,
Esler,	King,	Petrosky,	Willaredt,
Ewing,	Kistler,	Piper,	Williams, A. D.,
Farabaugh,	Klein,	Polaski,	Williams, E. S.,
Fetterolf,	Kooker,	Polen,	Wilt,
Flynn,	Kornick,	Prendergast,	Wood,
Foerster,	Korns,	Price,	Worley,
Foor,	Kramer,	Pursley,	Wynd,
Fox,	Lamb,	Reibman,	Yetter,
Frascella,	Lawson,	Reidenbach,	Zember,
Fry,	Lee, A. M.,	Renwick,	Zimmerman,
Fulmer,	Lee, K. B.,	Riley,	Andrews,
Galley,	Leonard,		Speaker

NAYS—0

NOT VOTING—8

Boles,	Fineman,	Knecht,	Odorislo,
Filo,	Guesman,	Mihm,	Willard,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, that the clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 739.

An Act relating to apprenticeship and training creating a State Apprenticeship and Training Council in the Department of Labor and Industry to formulate an apprenticeship and training policy and program and defining its powers and duties and providing for administration.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The clerk will read the amendments.

The clerk read the amendments as follows:

Amend Section 7, page 8, line 13, by striking out after the word "results" the following: "and (10) the provision of such administrative assistance to the council as it shall request."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Adams,	Fulmer,	Leonard,	Rovansek,
Anderson, J. H.,	Gallagher,	Limper,	Royer,
Anderson, S. A.,	Gelfand,	Lippincott,	Rubin,

Arlene, Ashton, Auker, Bachman, Backenstoe, Blair, Bonner, Bossert, Bower, Bowman, Branca, Breth, Buchanan, Bush, Capano, Capitolo, Cauley, Cianfrani, Cloffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dengler, Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Ellberg, Elvey, Eshback, Eshleman, Esler, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Flynn, Foerster, Foor, Fox, Frascella, Fry,	George, Gibb, Gibbons, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Gray, Greenlee, Gremminger, Gross, Guesman, Guthrie, Hamilton, Hankins, Hartley, Haudenshield, Heavey, Heffner, Helm, Henzel, Hocker, Holl, Holliday, Holman, Horst, Irvis, Isaacs, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kelser, Kelly, Kernaghan, Kessler, King, Kistler, Klein, Kooker, Kornick, Korns, Kramer, Lamb, Lawson, Lee, A. M., Lee, K. B.,	Long, Wm. Jas., Long, Wm. Jos., Lutty, Magee, Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McDevitt, McDonald, McInroy, McKeever, McLaughlin, McNally, Meholchick, Merry, Miller, Mills, Monroe, Morley, Mullen, Munley, Murphy, Murray, Musto, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Ogilvie, Parlante, Pashley, Perry, Petrosky, Piper, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick, Riley,	Rudisill, Rutherford, Sakulsky, Scarcelli, Schaaf, Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Slack, Snare, Stank, Steckel, Stimmel, Stiteler, Stone, Strausser, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomascik, Tompkins, Trusio, Ujobal, Varner, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Whittaker, Willaredt, Williams, A. D., Williams, E. S., Wilt, Wood, Worley, Wynd, Yetter, Zemmer, Zimmerman, Andrews, Speaker
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NAYS—0

NOT VOTING—8

Boies, Galley,	Jenkins, Knecht,	McCormack, Mihm,	Odorizio, Willard,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, that the clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED
FOR CONCURRENCE

The clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 828.

An Act amending the act of May 27, 1949 (P. L. 1903), entitled "An act providing powers responsibilities duties and limitations of the Governor Adjutant General Department of Military Affairs Pennsylvania State Armory Board Military Reservation Commission in connection with the armed Military and Naval forces and the internal security of the Commonwealth for the definition organization powers and limitations of the unorganized militia Pennsylvania National Guard Pennsylvania Guard Naval Militia Pennsylvania Naval Militia and for coordination with the government of the United States in the organization and functioning of the Pennsylvania National Guard and the National Guard of the United States ap-

portioned the Commonwealth" changing the measure of relief for disability or death of personnel on active duty.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The clerk will read the amendments.

The clerk read the amendments as follows:

Amend bill by adding Section 2, as follows:

Section 2 This Act shall take effect immediately

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Adams. Anderson, J. H., Anderson, S. A., Arlene, Ashton, Auker, Bachman, Backenstoe, Bonner, Bossert, Bower, Bowman, Branca, Breth, Buchanan, Bush, Capano, Capitolo, Cauley, Cianfrani, Cloffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dengler, Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Ellberg, Elvey, Eshback, Eshleman, Esler, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Flynn, Foerster, Foor, Fox, Frascella, Fry, Fulmer,	Gallagher, Gelfand, George, Gibb, Gibbons, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Gray, Greenlee, Gremminger, Gross, Guesman, Guthrie, Hamilton, Hankins, Hartley, Haudenshield, Heavey, Heffner, Helm, Henzel, Hocker, Holl, Holliday, Holman, Horst, Irvis, Isaacs, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kelser, Kelly, Kernaghan, Kessler, King, Kistler, Klein, Kooker, Kornick, Korns, Kramer, Lamb, Lawson, Lee, A. M., Lee, K. B., Leonard,	Limper, Lippincott, Long, Wm. Jas., Long, Wm. Jos., Lutty, Magee, Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McDevitt, McDonald, McInroy, McKeever, McLaughlin, McNally, Meholchick, Merry, Miller, Mills, Monroe, Morley, Mullen, Munley, Murphy, Murray, Musto, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Ogilvie, Parlante, Pashley, Perry, Petrosky, Piper, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick, Riley, Rovansek,	Royer, Rubin, Rudisill, Rutherford, Sakulsky, Scarcelli, Schaaf, Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Slack, Snare, Stank, Steckel, Stimmel, Stiteler, Stone, Strausser, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomascik, Tompkins, Trusio, Ujobal, Varner, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Whittaker, Willaredt, Williams, A. D., Williams, E. S., Wilt, Wood, Worley, Wynd, Yetter, Zemmer, Zimmerman, Andrews, Speaker
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NAYS—0

NOT VOTING—11

Blair, Boies, Elvey,	Galley, Jenkins, Jim,	Knecht, McCormack, Mihm,	Odorizio, Willard,
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The majority required by the Constitution having voted in the affirmative, the question was determined in

the affirmative and the amendments were concurred in.
Ordered, that the clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 868.

An Act amending the act of June 24, 1939 (P. L. 872), entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" authorizing the production and performance of basketball ice shows and ice hockey between certain hours on Sundays in cities of the first and second class.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The clerk will read the amendments.

The clerk read the amendments as follows:

Amend Title, page 1, line 3, by inserting after the word "of" the word "basketball"; Section 1, page 3, line 6, by inserting after the word "in" the word "basketball".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

The SPEAKER pro tempore. Does the gentleman from Cameron desire to be recognized?

Mr. TOMPKINS. I call the attention of the House to the fact that when this bill passed the House it passed to authorize ice hockey and ice shows on Sunday. The Senate amended the bill by adding "basketball" to the provisions of the bill. The bill in its amended form provides for basketball, ice hockey and ice shows.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Greene, Mr. McCann.

Mr. McCANN. House bill 868, when it passed the House, did precisely what the gentleman stated and, if you recall the debate, this pertained to the construction of a new arena in the city of Pittsburgh. And in that arena, the bill that we passed pertained to ice shows and ice hockey to be played or shown on Sunday afternoons as designated in the bill. In addition, the Pittsburgh professional basketball team—and I apologize for not knowing the new name of the team—the Pittsburgh Wrens, are now in practice in Waynesburg, which professional basketball will come back to the city of Pittsburgh with the coming schedule. Therefore, we ask that basketball be included in this so it may be played at the new civic arena in the city of Pittsburgh, along with ice shows and ice hockey. I ask for an affirmative vote of this House on this proposed legislation.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Cameron, Mr. Tompkins.

Mr. TOMPKINS. Mr. Speaker, our members are on their own on this bill.

On the question recurring,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—152

Adams,	Fry,	Lippincott,	Rovansek,
Anderson, J. H.,	Galley,	Long, Wm. Jas.,	Royer,
Anderson, S. A.,	Gallagher,	Long, Wm. Jos.,	Rubin,
Arlene,	Gelfand,	Lutty,	Rudisill,
Ashton,	Gibb,	Markley,	Rutherford,
Bachman,	Gibbons,	Marsh,	Sakulsky,
Backenstoe,	Goldstein, J. H.,	Maxwell,	Scarcelli,
Boles,	Goldstein, M. H.,	McCann,	Schaaf,
Bonner,	Goodrich,	McCormack,	Schuster,
Bossert,	Gramlich,	McDevitt,	Shelton,
Branca,	Gray,	McDonald,	Sherman,
Capano,	Greenlee,	McInroy,	Shupnik,
Capitolo,	Gremmlinger,	McKeever,	Simmons,
Cauley,	Hamilton,	McLaughlin,	Slack,
Cianfrani,	Hankins,	McNally,	Snare,
Cloff,	Hartley,	Meholchick,	Stank,
Clarke,	Haudenshield,	Mills,	Steckel,
Comer,	Heavey,	Monroe,	Stimmel,
Cooley,	Holman,	Morley,	Stone,
Crossin,	Irlis,	Mullen,	Sullivan, J. A.,
Curwood,	Isaacs,	Munley,	Sullivan, T. F.,
Davis,	Jim,	Murphy,	Taylor,
Dengler,	Johnson, R. P.,	Murray,	Thompson,
Donaldson,	Jones,	Musto,	Tomasick,
Dougherty,	Kamyk,	Needham,	Trusio,
Doughten,	Kelly,	O'Donnell, J. A.,	Ujobal,
Eilberg,	Kernaghan,	O'Donnell, J. P.,	Verona,
Eshback,	King,	Parlante,	Wargo,
Eshleman,	Klein,	Pashley,	Weidner,
Esler,	Kooker,	Perry,	Welsh,
Ewing,	Kornick,	Petrosky,	Willaredt,
Farabaugh,	Kramer,	Piper,	Williams, A. D.,
Fetterolf,	Lamb,	Polaski,	Wilt,
Filo,	Lawson,	Prendergast,	Worley,
Fineman,	Lee, A. M.,	Reibman,	Wynd,
Flynn,	Lee, K. B.,	Reidenbach,	Yetter,
Foerster,	Leonard,	Renwick,	Zember,
Frascella,	Limper,	Riley,	Andrews,

Speaker

NAYS—46

Auker,	Fulmer,	Korns,	Pursley,
Blair,	Gross,	Magee,	Seltzer,
Bower,	Guthrie,	Manbeck,	Stiteler,
Bowman,	Helm,	May,	Strausser,
Breth,	Henzel,	McCandless,	Tompkins,
Buchanan,	Hocker,	Merry,	Varner,
Bush,	Holl,	Miller,	Wall,
Dennison,	Holliday,	O'Dell,	Whittaker,
Down,	Johnson, A. W.,	Ogilvie,	Williams, E. S.,
Edwards,	Kelser,	Polen,	Wood,
Foor,	Kessler,	Price,	Zimmerman,
Fox,	Kistler,		

NOT VOTING—12

Elvey,	Heffner,	Knecht,	Walsh,
George,	Horst,	Mihm,	Wescott,
Guesman,	Jenkins,	Odorisio,	Willard,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, that the clerk inform the Senate accordingly.

(During roll call)

Mr. TOMPKINS. Mr. Speaker, how does the gentleman from Allegheny, Mr. Guesman, vote?

The SPEAKER pro tempore. Will the gentleman state what member's vote he is questioning?

Mr. TOMPKINS. The gentleman from Allegheny, Mr. Guesman.

The SPEAKER pro tempore. The gentleman from Allegheny, Mr. Guesman.

Mr. TOMPKINS. The board records him as voting "aye." I do not see him sitting in his seat.

The SPEAKER pro tempore. Is the gentleman in the hall of the House? Is the gentleman in the Hall of the House? If the gentleman is not in the hall of the House, he cannot be recorded.

Mr. TOMPKINS. He is recorded on the board, Mr. Speaker.

The SPEAKER pro tempore. The Chair will instruct the chief clerk to strike the gentleman's name from the affirmative roll. Members are not permitted to vote for other members.

Mr. TOMPKINS. All right, Mr. Speaker.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1042.

An Act amending the act of May 4, 1927 (P. L. 519), entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" expanding the authority of boroughs to make annual appropriations for nursing services.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The clerk will read the amendments.

The clerk read the amendments as follows:

Amend Section 1, page 2, line 5, by striking out the bracket before the word "not"; line 6, by striking out the word "one" and inserting in lieu thereof the word "two"; line 7, by striking out the bracket after the word "services" and by striking out the words "annually towards" and inserting in lieu thereof the word "to".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—195

Adams,	Frascella,	Lee, K. B.,	Riley,
Anderson, J. H.,	Fry,	Leonard,	Rovansek,
Anderson, S. A.,	Fulmer,	Limper,	Royer,
Arlene,	Gallagher,	Lippincott,	Rubin,
Ashton,	Gelfand,	Long, Wm. Jas.,	Rudisill,
Auker,	George,	Long, Wm. Jos.,	Sakulsky,
Bachman,	Gibb,	Lutty,	Scarcelli,
Backenstoe,	Gibbons,	Manbeck,	Schaaf,
Blair,	Goldstein, J. H.,	Markley,	Schuster,
Boles,	Goldstein, M. H.,	Marsh,	Seltzer,
Bonner,	Goodrich,	Maxwell,	Shelton,
Bossert,	Gramlich,	May,	Sherman,
Bower,	Gray,	McCandless,	Shupnik,
Bowman,	Greenlee,	McCann,	Simmons,
Branca,	Gremminger,	McCormack,	Slack,
Breth,	Gross,	McDevitt,	Snare,
Buchanan,	Guthrie,	McDonald,	Stank,
Bush,	Hamilton,	McInroy,	Steckel,
Capano,	Hankins,	McKeever,	Stimmel,
Capitolo,	Hartley,	McLaughlin,	Stiteler,
Cauley,	Haudenschild,	McNally,	Stone,
Cianfrani,	Heavey,	Mehoichick,	Strausser,
Cioffi,	Helm,	Merry,	Sullivan, J. A.,
Clarke,	Henzel,	Miller,	Sullivan, T. F.,
Comer,	Hocker,	Mills,	Taylor,

Cooley,	Holl,	Monroe,	Thompson,
Crossin,	Holliday,	Morley,	Tomascik,
Curwood,	Holman,	Mullen,	Trusio,
Davis,	Horst,	Munley,	Ujobai,
Dengler,	Irviss,	Murphy,	Varnier,
Dennison,	Isaacs,	Murray,	Verona,
Donaldson,	Jim,	Musto,	Wall,
Dougherty,	Johnson, A. W.,	Needham,	Walsh,
Doughten,	Johnson, R. P.,	O'Dell,	Wargo,
Down,	Jones,	O'Donnell, J. A.,	Weidner,
Edwards,	Kamyk,	O'Donnell, J. P.,	Welsh,
Eilberg,	Keiser,	Ogilvie,	Wescott,
Elvey,	Kelly,	Parlante,	Whittaker,
Eshback,	Kessler,	Pashley,	Willaredt,
Esler,	King,	Perry,	Williams, A. D.,
Ewing,	Kistler,	Piper,	Williams, E. S.,
Farabaugh,	Klein,	Polaski,	Wilt,
Fetterolf,	Kooker,	Polen,	Worley,
Filo,	Kornick,	Prendergast,	Wynd,
Fineman,	Korns,	Price,	Yetter,
Flynn,	Kramer,	Pursley,	Zember,
Forester,	Lamb,	Reibman,	Zimmerman,
Foor,	Lawson,	Reidenbach,	Andrews,
Fox,	Lee, A. M.,	Renwick,	Speaker

NAYS—4

Eshleman,	Rutherford,	Tompkins,	Wood,
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NOT VOTING—11

Gailey,	Jenkins,	Magee,	Petrosky,
Guesman,	Kernaghan,	Mihm,	Willard,
Heffner,	Knecht,	Odorisio,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, that the clerk inform the Senate accordingly.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1395, entitled:

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872), authorizing the conducting staging operating managing and engaging in basketball games on Sunday and authorizing the labor and business necessary to conduct manage operate or stage such games.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Rules.

The motion was agreed to.

BILL RE-REFERRED

Mrs. REIBMAN from the Committee on Education, returned with the recommendation that it be re-referred to the Committee on Townships, House bill No. 1118, entitled:

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), authorizing the regulation and licensing of pawnbrokers, hucksters, peddlers, vendors and public auctions and auctioneers.

The SPEAKER pro tempore. The bill is re-referred to the Committee on Townships.

ANNOUNCEMENTS BY MAJORITY LEADER

Mr. McCANN. Mr. Speaker, there are committee announcements of some committee meetings tomorrow morning, which I hope the membership will record and

attend. This House will convene tomorrow at 10 a.m. As soon as the desk is cleared there will be a caucus of the respective parties. There are no other bills on this calendar which can be voted on before a caucus. The caucus will go straight from the floor, and I hope we can plan the time accordingly because House bill 283 and other major pieces of legislation will be gone over in caucus tomorrow, then debated, both amendments and bills on the floor.

Assuming that we go in at 10, we will probably caucus in the neighborhood of approximately 11 o'clock. We will caucus on all final passage bills and all Senate bills and all concurrences not acted on today, plus resolutions. We will have a break for lunch. I would say to the membership we will be leaving here tomorrow but we have no assurance of the actual time that we can finish tomorrow. We hope to finish sometime between 4 and 6 o'clock. When tomorrow's session is over, this calendar, of course, will be moving downward with the final committee meetings, almost all of them, on House bills, and then it will be mostly Senate bills to finish up. The following week we will be here four days, with a possibility of a fifth day, Monday, Tuesday, Wednesday and Thursday, and if necessary, Friday.

I would ask the membership to plan their schedules accordingly and come prepared tomorrow for another full, long, working day.

I hope the members will stay for the committee announcements.

REPUBLICAN CAUCUS

Mr. A. W. JOHNSON. Mr. Speaker, the reason I wanted recognition was to interrogate the majority leader, and just then he did express over the microphone that we will be ready tomorrow to caucus. We have reviewed the bills and I believe in our caucus we will cover practically the entire calendar so we can clean it up pretty thoroughly before we adjourn tomorrow.

REPORTS FROM COMMITTEE

Mr. FOERSTER from the Committee on State Government, reported as committed, House bill No. 1490, entitled:

An Act amending the act of May 1, 1913 (P. L. 155), entitled "An act regulating the letting of certain contracts for the erection, construction, and alteration of public buildings," further regulating the letting of such contracts by municipality authorities, the General State Authority and the State Public School Building Authority.

Mr. FOERSTER from the Committee on State Government, reported as committed, Senate bill No. 491, entitled:

An Act amending the act of June 25, 1941 (P. L. 159), entitled "Municipal Borrowing Law" changing the definition of assessed valuation.

Mr. CLARKE from the Committee on Banking and Building and Loan Associations, reported as committed, Senate bill No. 556, entitled:

An Act amending the act of May 15, 1933 (P. L. 624), entitled as amended "Banking Code" further regulating certain loans secured by mortgages on deeds of trust on real property.

Mr. CLARKE from the Committee on Banking and Building and Loan Associations, reported as committed, Senate bill No. 557, entitled:

An Act amending the act of May 5, 1933 (P. L. 457), entitled "Building and Loan Code" further regulating mortgage loans.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1490, entitled:

An Act amending the act of May 1, 1913 (P. L. 155), entitled "An act regulating the letting of certain contracts for the erection, construction, and alternation of public buildings," further regulating the letting of such contracts by municipality authorities, the General State Authority and the State Public School Building Authority.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 491, entitled:

An Act amending the act of June 25, 1941 (P. L. 159), entitled "Municipal Borrowing Law" changing the definition of assessed valuation.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 556, entitled:

An Act amending the act of May 15, 1933 (P. L. 624), entitled as amended "Banking Code" further regulating certain loans secured by mortgages on deeds of trust on real property.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 557, entitled:

An Act amending the act of May 5, 1933 (P. L. 457), entitled "Building and Loan Code" further regulating mortgage loans.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

COMMITTEE MEEETINGS

CITIES-COUNTIES FIRST CLASS, Mr. Dougherty, Chairman, Room 521, Thursday, June 22, at 9:30 a.m.

CITIES-THIRD CLASS, Mr. Walsh, Chairman, Room 131-C, Thursday, June 22, at 9:45 a.m.

COUNTIES, Mr. Cioffi, Chairman, Room 131-C, Thursday, June 22, at 9:30 a.m.

INSURANCE, Mr. Hamilton, Chairman, Room 522, Thursday, June 22, at 9:45 a.m.

MOTOR VEHICLES, Mr. Limper, Chairman, Room 521, Thursday, June 22, at 9:45 a.m.

ALL TIMES ARE DAYLIGHT SAVING TIME

TIME EXTENDED ON BILL

Mr. McCANN asked and obtained unanimous consent to extend the time five days on House bill No. 1162 printer's No. 2070, on page 8 of today's calendar, bills on final passage.

BILL ON FINAL PASSAGE POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on final passage of House bill No. 1450, entitled:

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90), authorizing licenses for the retail sale of liquor and malt or brewed beverages on city premises in cities of the first class under certain terms and conditions and to be known as public event licenses.

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. DOUGHERTY. Mr. Speaker, I second the motion. The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mrs. S. A. ANDERSON asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Sec. 1 (Sec. 408.1), page 2, line 4 by inserting after "premises": primarily and customarily used for trade shows expositions and conventions.

Amend Sec. 1 (Sec. 408.1), page 3, line 2 by inserting after "premises": primarily and.

Amend Sec. 1 (Sec. 408.1), page 3, line 3 by striking out "public events" and inserting: trade shows, exhibitions and conventions.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY THE HOUSE

The clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House bill No. 517, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" prohibiting certain acts relating to registration plates and counterfeit registration plates numbers or markers.

And has appointed Messrs. ROONEY, MULLIN and SCOTT and a committee of conference to confer with a similar committee of the House of Representatives, (if the House of Representatives shall appoint such committee) on the subject of the differences between the two Houses in relation to said bill.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 517

The SPEAKER. The Chair appoints as a Committee of Conference on the part of the House, Messrs. FINEMAN, GUESMAN and GUTHRIE.

Ordered, that the clerk inform the Senate accordingly.

BILLS AND RESOLUTIONS PASSED OVER

Mr. McCANN. Mr. Speaker, I request that all other bills and resolutions on today's calendar not acted upon be passed over.

The SPEAKER pro tempore. The Chair hears no objection.

BILLS INTRODUCED AND REFERRED

By Messrs. CROSSIN and MEHOLCHICK.

HOUSE BILL No. 1796.

An Act amending the act of July 7, 1955 (P. L. 258), entitled "An act providing for anthracite mine drainage contingent on Federal aid and making an appropriation," removing certain restrictions.

Referred to the Committee on Rules.

By Messrs. BRETH and PETROSKY.

HOUSE BILL No. 1797.

An Act amending "The Permanent Registration Act for Cities of the Second Class, Cities of the Second Class A, Cities of the Third Class, Boroughs, Towns, and Townships," approved April 29, 1937 (P. L. 487), further regulating the days, hours and places of registration.

Referred to the Committee on Rules.

By Messrs. LAMB, CAPANO, MURPHY and

Mrs. S. A. ANDERSON. HOUSE BILL No. 1798.

An Act amending the "Administrative Agency Law," approved June 4, 1945 (P. L. 1388), further defining adjudication and including the Department of Public Welfare in the list of agencies to which the act is applicable.

Referred to the Committee on Welfare.

By Messrs. LAMB, CAPANO, MURPHY and

Mrs. S. A. ANDERSON. HOUSE BILL No. 1799.

An Act amending the act of September 26, 1951 (P. L. 1536), entitled "An act providing for the licensure and regulation of commercial boarding homes for the aged, conferring certain powers and duties upon the Department of Welfare; imposing license fees; and providing penalties," declaring unlicensed operation or maintenance to be a nuisance per se, providing additional penalties, and making technical changes.

Referred to the Committee on Welfare.

By Messrs. LAMB, MURPHY and

Mrs. S. A. ANDERSON. HOUSE BILL No. 1800.

An Act authorizing the Department of Public Welfare, the Department of Health, or any departmental administrative board, commission or officer of either department to proceed by injunction or other process in the court of common pleas in any county where an alleged unauthor-

ized activity is committed, to prohibit and restrain any unlicensed person, association, copartnership or corporation from engaging in an activity for which a license is required to be issued by either department, and setting out the method of procedure therefor.

Referred to the Committee on Welfare.

By Mr. LAMB and Mrs. S. A. ANDERSON.

HOUSE BILL No. 1801.

An Act amending the act of June 12, 1931 (P. L. 510), entitled as amended, "An act providing for the licensure and regulation of certain private nursing homes, private convalescent homes and private hospitals; conferring certain powers and duties upon the Department of Welfare; or maintenance to be a nuisance per se; providing additional penalties," declaring unlicensed operation or maintenance to be a nuisance per se; providing additional penalties; and making technical changes.

Referred to the Committee on Welfare.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 587.

An Act amending the act of May 10, 1939 (P. L. 111), entitled "Commerce Law" empowering the Department of Commerce to make loans.

Referred to the Committee on State Government.

SENATE BILL No. 592.

An Act amending the act of June 1, 1945 (P. L. 1242), entitled "State Highway Law" providing for payment by the Commonwealth of damages by a change of width lines or grades of streets designated as State highways in cities of the second class A and third class.

Referred to the Committee on Highways.

SENATE BILL No. 593.

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929" authorizing the Secretary of Property and Supplies to enter into contracts with bidders other than the lowest bidders in certain cases.

Referred to the Committee on Rules.

SENATE BILL No. 691.

An Act amending the act of July 17, 1935 (P. L. 1092), entitled "Fraternal Benefit Societies Act" further extending the benefits that may be provided by a fraternal benefit society.

Referred to the Committee on Insurance.

SENATE BILL No. 713.

An Act amending the act of June 1, 1945 (P. L. 1242), entitled "State Highway Law" authorizing adoption of a system for qualification of competent and responsible bidders on highway projects.

Referred to the Committee on Highways.

SENATE BILL No. 726.

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" providing for the use of moneys in the State School Fund of Pennsylvania for making grants to certain school districts.

Referred to the Committee on Education.

SENATE BILL No. 735.

An Act amending the act of December 22, 1951 (P. L. 1726), entitled "Pennsylvania Loyalty Act" excluding from the provisions of the act certain teachers who are citizens or subjects of foreign countries.

Referred to the Committee on Law and Order.

SENATE BILL No. 757.

An Act amending the act of July 7, 1947 (P. L. 1368), entitled "Real Estate Tax Sale Law" requiring taxes levied for the current year to be included in the upset price at the sale of any property upon a claim absolute.

Referred to the Committee on State Government.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 6.

A Joint Resolution proposing an amendment to article fourteen section one of the Constitution of the Commonwealth of Pennsylvania permitting county treasurers to succeed themselves.

HOUSE BILL No. 141.

An Act amending the act of September 29, 1951 (P. L. 1645), entitled "An act authorizing the orphans' courts of the several counties upon application therefor to place documents defined as historical documents in the temporary custody of certain associations maintaining facilities for public display of historical writings * * *" extending the provisions of the act to the recorder of deeds the clerk of courts and the prothonotary and imposing duties on the court of common pleas.

HOUSE BILL No. 263.

An Act amending the act of April 4, 1925 (P. L. 127), entitled "An act relating to Adoption" authorizing the filing of foreign adoption records in the orphans' court and information relating thereto with the Department of Public Welfare.

HOUSE BILL No. 423.

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), further regulating field meets and trials.

HOUSE BILL No. 591.

An Act amending the "Fiduciaries Investment Act of 1949" approved May 26, 1949 (P. L. 1828), providing for authorized investments in interest-bearing deposits.

HOUSE BILL No. 650.

An Act amending the act of April 17, 1893 (P. L. 21), entitled as amended "An act to facilitate the labors of the judges of the court of common pleas and orphans' court of the county in which the seat of government is or may be located in the disposition of the business of the Commonwealth by providing suitable clerical assistance" further providing for the salaries of stenographers and clerks.

HOUSE BILL No. 817.

An Act amending "The Fish Law of 1959" approved December 15, 1959 (P. L. 1779), deleting the requirement of reports by artificial propagation licenses.

HOUSE BILL No. 823.

An Act amending "The Fish Law of 1959" approved December 15, 1959 (P. L. 1779), changing the fishing license year.

HOUSE BILL No. 966.

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), changing registration fees for motor buses and motor omnibuses operated by mass transportation systems.

HOUSE BILL No. 974.

An Act amending the "Orphans' Court Act of 1951" approved August 10, 1951 (P. L. 1163), clarifying provisions relating to verdicts.

HOUSE BILL No. 995.

An Act amending the act of June 24, 1939 (P. L. 872), entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by clarifying and redefining the crime of prison breach.

HOUSE BILL No. 1327.

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), changing the expiration date of permits issued by the Commission.

HOUSE BILL No. 1390.

An Act amending "The First Class Township Code" approved June 24, 1931 (P. L. 1206), increasing the expense allowance for delegates to meetings of the State associations of township officers.

HOUSE BILL No. 1408.

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), eliminating the requirement that cotton fabrics used in State institutions be flameproofed.

HOUSE BILL No. 1542.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 1.565 acres more or less of land situate in Smithfield Township Huntingdon County.

HOUSE BILL No. 1562.

An Act authorizing the Commonwealth of Pennsylvania through the Department of Commerce and the Pennsylvania Industrial Development Authority to cooperate with and implement the program of the Federal Government as established by the Federal Area Redevelopment Act for economic assistance to redevelopment areas in the Commonwealth suffering from substantial and persistent unemployment and underemployment authorizing the Pennsylvania Industrial Development Authority to participate with any Federal agency in the financing of industrial development projects in redevelopment areas * * *

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGE

HOUSE BILL CONCURRED IN BY SENATE

The clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 160.

An Act amending the act of March 27, 1945 (P. L. 83), entitled "An act regulating the issuance of execution on judgments confessed on written instruments * * *" providing defenses in any county in which a judgment is transferred.

With the information that the Senate has passed the same without amendment.

SENATE MESSAGE

The clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Amended House Bill returned for concurrence, No. 990.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos. 10, 218, 555, 1076, 1225 and 1381.

Commonwealth of Pennsylvania
Governor's Office, Harrisburg

June 21, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 10, printer's No. 10, entitled "An Act amending the act of July 11, 1917 (P. L. 758), entitled 'An act for the protection of the public health by regulating the possession control dealing in giving away delivery dispensing administering prescribing and use of certain drugs and keeping records thereof by regulating the use of drugs in the treatment of the drug habit by providing for the revocation and suspension of licenses of physicians dentists veterinarians pharmacists druggists and registered nurses for certain causes and by providing for the enforcement of this act and penalties' clarifying the definition of 'drug' to include heroin in any quantity."

DAVID L. LAWRENCE.

June 21, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 218, printer's No. 734, entitled "An Act amending the act of April 29, 1959 (P. L. 58), entitled 'The Vehicle Code' CHANGING PROVISIONS REQUIRING OPERATORS TO DRIVE ON THE RIGHT SIDE OF THE HIGHWAY and providing penalties."

DAVID L. LAWRENCE.

June 21, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 555, printer's No. 600, entitled "An Act amending the act of August 24, 1951 (P. L. 1304), entitled as amended 'Local Health Administration Law' extending to thirty days the time within which county commissioners or the joint-county health commission may give notice of approval or disapproval of rules and regulations of the board of health."

DAVID L. LAWRENCE.

June 21, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 1076, printer's No. 1919, entitled "An Act providing for the creation of a commission to formulate a plan with respect to State and local administration of public welfare services and to prepare codifications of laws relating thereto and appropriate legislation in connection therewith."

DAVID L. LAWRENCE.

June 21, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 1225, printer's No. 1399, entitled "An Act amending the act of April 29, 1959 (P. L. 58), entitled 'The Vehicle Code' further providing for the use of operators' licenses prior to the license period."

DAVID L. LAWRENCE.

June 21, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 1381, printer's No. 1779, entitled "An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania for the payment of compensation to certain veterans defining the powers and duties of the Governor the Auditor General the State Treasurer and the Board of Finance and

Revenue in relation thereto and providing for the payment of interest on and the redemption of such bonds and making an appropriation."

DAVID L. LAWRENCE.

COMMUNICATIONS FROM GOVERNOR LAID OVER

The SPEAKER pro tempore. The Governor has returned according to our concurrent resolution House bills Nos. 987 and 1186.

These bills will lie over on the Speaker's table.

ADJOURNMENT

Mr. DAVIS. Mr. Speaker, I move that this House do now adjourn until Thursday, June 22, 1961, at 9 a.m., e. s. t.

The motion was agreed to, and (at 5:08 p.m., e. s. t.) the House adjourned.

Legislative Journal.

Session 1961.

145th of the General Assembly.

Vol. 38.

HARRISBURG, PA., THURSDAY, JUNE 22, 1961.

No. 66.

HOUSE OF REPRESENTATIVES

THURSDAY, June 22, 1961.

The House met at 9 a.m., e.s.t.

The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

Almighty and Everlasting God, in true faith we look to Thee in this morning hour with a depth of praise and thanksgiving in our hearts for Thy abundant blessing toward us. We realize that the future beckons to us, and presents a living challenge to elicit from each of us the best we can give. It is a real joy to lay the plans for tomorrow; but we pray that Thou wilt ever keep us humble and may we never become so engrossed in our present planning that we lose sight of the firm foundations laid by our forefathers of old. Help us in our search for that which is true and lasting to always seek Thy counsel and guidance; and give us Thy peace. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Wednesday, June 21, 1961, will be postponed until printed.

The Chair hears none.

GIRL SCOUT TROOPS WELCOMED

The SPEAKER. The Chair notes the presence in the gallery of Girl Scout Troops 62 and 124, Jennerstown, Pennsylvania. They are here under the direction of their leaders, Mrs. Allegra Farsh, Mrs. Jean Rose and Mrs. Maxine Leventry. They are the guests of the gentleman from Somerset, Mr. Kornes.

BILL INTRODUCED AND REFERRED

By Messrs. McCANN and BOWMAN.

HOUSE BILL No. 1802.

An Act amending the "Business Corporation Law," approved May 5, 1933 (P. L. 364), further providing for the payment of dividends.

Referred to the Committee on Banking and Building and Loan Associations.

REPORTS FROM COMMITTEE

Mr. RENWICK from the Committee on Motor Vehicles, reported as amended, House bill No. 1617, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), providing for the issuance of temporary registration plates or markers for vehicles which are not to be registered in Pennsylvania, and removing the requirement that application for annual registration plates must be made for such vehicles.

Mr. HARTLEY from the Committee on Insurance, reported as committed, House bill No. 1418, entitled:

An Act prohibiting discrimination against insurers in certain cases; authorizing relief in equity; and prescribing penalties.

Mr. HARTLEY from the Committee on Insurance, reported as committed, House bill No. 1419, entitled:

An Act amending "The Insurance Department Act of one thousand nine hundred and twenty-one," approved May 17, 1921 (P. L. 789), prescribing additional causes for revocation of licenses.

Mr. KORNICK from the Committee on Insurance, reported as committed, House bill No. 1597, entitled:

An Act amending "The Insurance Company Law of 1921," approved May 17, 1921 (P. L. 682), clarifying the provisions relating to the merger or consolidation of certain domestic insurance companies and making editorial changes.

Mr. PARLANTE from the Committee on Cities—Counties First Class, reported as committed, House bill No. 1667, entitled:

An Act amending "The First Class City Permanent Registration Act," approved March 30, 1937 (P. L. 115), requiring the cancellation of registration of persons reported dead.

Mr. PARLANTE from the Committee on Cities—Counties First Class, reported as committed, Senate bill No. 570, entitled:

An Act changing the name of the Municipal Court of Philadelphia to the County Court of Philadelphia.

Mr. FOOR from the Committee on Insurance, reported as committed, Senate bill No. 691, entitled:

An Act amending the act of July 17, 1935 (P. L. 1092), entitled "Fraternal Benefit Societies Act" further extending the benefits that may be provided by a fraternal benefit society.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1418, entitled:

An Act prohibiting discrimination against insurers in certain cases; authorizing relief in equity; and prescribing penalties.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1419, entitled:

An Act amending "The Insurance Department Act of one thousand nine hundred and twenty-one," approved May 17, 1921 (P. L. 789), prescribing additional causes for revocation of licenses.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1597, entitled:

An Act amending "The Insurance Company Law of 1921," approved May 17, 1921 (P. L. 682) clarifying the provisions relating to the merger or consolidation of certain domestic insurance companies and making editorial changes.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1667, entitled:

An Act amending "The First Class City Permanent Registration Act," approved March 30, 1937 (P. L. 115), requiring the cancellation of registration of persons reported dead.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 570, entitled:

An Act changing the name of the Municipal Court of Philadelphia to the County Court of Philadelphia.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 691, entitled:

An Act amending the act of July 17, 1935 (P. L. 1092) entitled "Fraternal Benefit Societies Act" further extending the benefits that may be provided by a fraternal benefit society.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 621, entitled:

An Act requiring a guard to be posted when a man-hole is entered or when tests are being performed at a manhole and providing penalties.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 971, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), limiting the prohibition against and penalty for speed contests and drag races and reducing penalties.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1595, entitled:

An Act amending the "Public Assistance Law" approved June 24, 1937 (P. L. 2051), further defining assistance to include certain dependent children and medical care for the aged and those persons eligible therefor and prescribing procedures requirements and penalties incidental thereto.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1622, entitled:

An Act amending "The Pennsylvania Workmen's Compensation Act" approved June 2, 1915 (P. L. 736), changing provisions relating to liability of employers and benefits and persons entitled thereto regulating practice and procedure changing subrogation rights providing for attendance of witnesses requiring payments into the Second Injury Reserve and Rehabilitation Fund.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 45, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929" changing the number of copies of the State Manual to which members and officers of the General Assembly shall be entitled.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 455, entitled:

An Act amending the act of May 5, 1933 (P. L. 457), entitled "Building and Loan Code" changing provisions governing the change of the place of business of a branch and changing provisions for the period of public notice for the discontinuance of a branch.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 663, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code" prohibiting debt pooling business voiding contracts for debt pooling and providing penalties.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 301, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), providing for separate computation of tuition for junior high school tuition pupils and senior high school tuition pupils at the request of the receiving district.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 670, entitled:

A Supplement to "The Pennsylvania Workmen's Compensation Act" approved June 2, 1915, (P. L. 736), providing for the payment of compensation to special school police appointed by boroughs or the dependents of such special school police.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1028, entitled:

An Act amending the act of June 1, 1956 (P. L. 1944), entitled "An act providing a permanent allocation of a part of the fuels and liquid fuels tax proceeds to cities boroughs incorporated towns and townships for their road street and bridge purposes * * *" changing the formula used to determine the amount of payments to be made to the political subdivisions.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1232, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), requiring the notice of conviction for violations in other states to contain a certified record of the conviction and requiring the same to be made available.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1234, entitled:

An Act amending "The Pennsylvania Workmen's Compensation Act" approved June 2, 1915 (P. L. 736), increasing liability for burial costs.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1307, entitled:

An Act amending the "Chiropractic Act of 1956" approved March 2, 1956 (P. L. 1206), providing for biennial renewal of registration changing fees and requiring attendance at biennial educational conferences as a condition of renewal of registration.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1440, entitled:

An Act amending "The Pennsylvania Workmen's Compensation Act" approved June 2, 1915 (P. L. 736), requiring employers to furnish replacements for artificial limbs and eyes and to furnish additional medical care in connection therewith.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1487, entitled:

An Act amending the "Real Estate Brokers License Act of one thousand nine hundred and twenty-nine" approved May 1, 1929 (P. L. 1216), changing the educational and training requirements for licensure changing the place of hearing specifying the nature and weight to be given to the report of a representative appointed by the Commission to hold hearings in connection with any of its disciplinary proceedings providing for the taking of testimony and bringing auctioneers within the provisions of the act.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1490, entitled:

An Act amending the act of May 1, 1913 (P. L. 155), entitled "An act regulating the letting of certain contracts for the erection construction and alteration of public buildings" further regulating the letting of such contracts by municipality authorities the General State Authority and the State Public School Building Authority.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1492, entitled:

An Act amending the "State Public School Building Authority Act" approved July 5, 1947 (P. L. 1217), further regulating competition in award of contracts.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1493, entitled:

An Act amending "The General State Authority Act of one thousand nine hundred forty-nine" approved March 31, 1949 (P. L. 372), further regulating competition in award of contracts.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1616, entitled:

An Act amending "The Permanent Registration Act for Cities of the Second Class, Cities of the Second Class A, Cities of the Third Class, Boroughs, Towns and Townships" approved April 29, 1937 (P. L. 487), requiring that registration cards delivered to electors must be uniform.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1621, entitled:

An Act amending the "Vocational Rehabilitation Act of one thousand nine hundred forty-five" approved May 22, 1945 (P. L. 849), authorizing certain persons injured by accidents incurred in the course of their employment or disabled by occupational disease.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1638, entitled:

An Act amending "The Pennsylvania Occupational Disease Act" approved June 21, 1939 (P. L. 566), changing provisions relating to liability of employers and benefits and persons entitled thereto regulating practice and procedure changing subrogation rights providing for attendance of witnesses and generally clarifying and changing the provisions of the act.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1648, entitled:

An Act amending the act of May 25, 1933 (P. L. 1050), entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employees of the burden of fire in cities of the second class * * *" further providing for medical examinations of pensioners and providing for return to active duty upon discontinuance of pension.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1652, entitled:

An Act amending the act of April 24, 1913 (P. L. 114), entitled "An act regulating the time of payment of wages and earnings and providing a penalty for violation hereof" further regulating the time of payment of wages and earnings.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1656, entitled:

A Supplement to the act of April 29, 1874 (P. L. 73), entitled "An act to provide for the incorporation and regulation of certain corporations" authorizing the incorporation of pipeline companies for the transportation and storage or distribution furnishing or supplying of a fluid substance known as coal slurry * * *.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1666, entitled:

An Act amending "The Permanent Registration Act for Cities of the Second Class, Cities of the Second Class A, Cities of the Third Class, Boroughs, Towns and Townships" approved April 29, 1937 (P. L. 487), requiring the cancellation of registrations of persons reported dead.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1727, entitled:

An Act amending the "Banking Code" approved May 15, 1933 (P. L. 624), increasing the unsecured amount a bank, bank and trust company or trust company may loan its salaried officers or employees or those of affiliated banking institutions.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1746, entitled:

An Act constituting the Secretary of the Commonwealth as the agent for service of process on nonresident persons and foreign associations, partnerships and corporations whose products are listed and sold by Pennsylvania Liquor Stores and who sell malt and brewed beverage to distributors and importing distributors licensed and doing business in this Commonwealth.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1781, entitled:

An Act amending the act of July 31, 1941 (P. L. 605), entitled "An act relating to the summoning and service of jurors (except grand jurors) in the civil and criminal courts of the several counties of the Commonwealth except counties of the first and second class" extending the provisions to counties of the first class.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 114, entitled:

An Act reenacting and amending section 13 and Article VII of Chapter II of the act of December 15, 1959 (P. L. 1779), entitled "The Fish Law of 1959" removing the re-

quirement that fishermen be licensed in order to fish in certain regulated fishing lakes further regulating the issuance of permits or bills of sale for fish caught in such lakes changing penalties relating to such lakes and harmonizing language of existing law.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 133, entitled:

An Act amending the act of June 1, 1959 (P. L. 392), entitled "State Employees' Retirement Code of 1959" re-defining the words "final average salary" for retirement of officers and employees of the Pennsylvania State Police.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 191, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," including additional buses within the provisions relating to school buses further providing for the operation of school buses and lights located thereon and providing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 219, entitled:

An Act amending the act of June 19, 1931 (P. L. 589), entitled as amended "Barbers License Law" altering the requirements for licensure regulating hours for barber schools permitting further regulation of health authorities providing for the health sanitation and management of barber shops changing fees prescribing penalties requiring reports and making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 258, entitled:

An Act requiring the State Treasurer and other State officials to deduct the tax imposed by any first class city upon salary wages and other compensation paid to officers and employees of the Commonwealth domiciled or performing services within that city and to make a return and remit the tax so deducted to the Revenue Commissioner of such city.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 294, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" further providing for the lights and signals to be used in connection with certain vehicles and providing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 298, entitled:

An Act amending the act of April 12, 1951 (P. L. 90), entitled "Liquor Code" providing for the ordering and sale of miniature bottles to certain licensees.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 401, entitled:

An Act amending the act of May 1, 1933 (P. L. 103), entitled "The Second Class Township Code" authorizing increase in the number of meetings for which supervisors may be paid without the prior approval of the auditors further providing for the attendance of supervisors or employees at road meetings and conventions imposing duties on township secretaries changing the time which may be expended by auditors in the completion of audits authorizing managers to attend meetings of county associations of township officers authorizing supervisors to exercise general powers further providing for the parties who may protest a change in zoning and providing for review of township ordinances and regulations adversely affecting public utility service.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 491, entitled:

An Act amending the act of June 25, 1941 (P. L. 159), entitled "Municipal Borrowing Law" changing the definition of assessed valuation.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 528, entitled:

An Act requiring funeral directors to notify the voters registration commission upon the burial of any person over twenty-one years of age and providing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 555, entitled:

An Act amending the act of May 15, 1933 (P. L. 624), entitled as amended "Banking Code" further providing for the participation of loans between banking companies.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 556, entitled:

An Act amending the act of May 15, 1933 (P. L. 624), entitled as amended "Banking Code" further regulating certain loans secured by mortgages on deeds of trust on real property.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 557, entitled:

An Act amending the act of May 5, 1933 (P. L. 457), entitled "Building and Loan Code" further regulating mortgage loans.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 590, entitled:

An Act amending the act of June 1, 1959 (P. L. 392), entitled "State Employees' Retirement Code of 1959" defining State employees to include certain civilian employees of the National Guard.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 636, entitled:

An Act amending the act of April 27, 1927 (P. L. 465), entitled as amended "Fire Safety Building Regulation Law" requiring that the location of fire extinguishers which are obscured from view be marked.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 639, entitled:

An Act limiting landowner's liability for personal injuries suffered by any persons while hunting or fishing upon or who has entered for his own purposes on the landowner's property.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 684, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" removing provisions relating to the districting of State colleges.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

CAUCUSES

The SPEAKER. The Chair recognizes the majority leader.

Mr. McCANN. Mr. Speaker, we will request, in a minute or two, a recess for the purpose of a caucus covering the bills. We will ask for a period of one and one-half hours for caucus. Our caucus would be over by approximately 11:30. We will then ask for a break so we may have lunch and then return to the floor.

I would like to ask the minority leader if one and one-half hours for caucus, and probably 30 to 35 minutes for lunch, returning between 12:30 and 12:45 d. s. t. to start to move on steadily from there would be agreeable to him?

Mr. A. W. JOHNSON. Mr. Speaker, that would be agreeable to this side. We will caucus immediately for one hour and a half, and then have lunch for one-half hour and be back here in two hours.

Mr. McCANN. Mr. Speaker, I ask that all the Democratic members proceed immediately to the new House Caucus Room and bring their House calendars with them. The sooner we get done with the caucus, the sooner we can come back here and start to work.

Mr. A. W. JOHNSON. Mr. Speaker, the same goes for the Republican side. Bring your calendars and go forthwith to the caucus room.

RECESS

The SPEAKER. Without objection, the Chair will declare a recess of two hours.

The Chair hears none, and a recess is declared.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR

The SPEAKER. We will resolve ourselves briefly into a Committee of the Whole for the purpose of hearing a distinguished visitor, Representative Harrison Chadwick, who has been a member of the Legislature of the Commonwealth of Massachusetts. He is here accompanied by Evander French, a government major at Tufts University.

Representative Chadwick is primarily interested in the operation of an electric roll call system and he wants to find out from the experts how our system works; what changes, if any, are suggested if they were to put in one, and he also wants to observe our operations from other angles.

It is with great pleasure that I present to the members of the House Representative Harrison Chadwick of Massachusetts, representing the General Assembly of that Commonwealth.

ADDRESS BY REPRESENTATIVE HARRISON CHADWICK

Mr. CHADWICK. Mr. Speaker, I assure you and all the members that it is a great privilege for me to be allowed to stand here and speak briefly to the members of the Assembly of our sister Commonwealth of Pennsylvania.

We of Massachusetts observe frequently what you do here. We have tried to compete with you in some of your records, and I must report that you have outdistanced us. And I am speaking of one or two of the marathon

sessions you have held. We ran last year until Thanksgiving morning, at which time we adjourned, and then we came back a few days later in a special session. We stayed then until Christmastime. I believe you have bettered that record. The newspapers panned us to such an extent that this year we decided to do things differently and consequently we got out in the latter part of May. In order to do that we were compelled to meet virtually five days a week, both in the afternoon and in the evening, and we had a great many evening sessions which we did not like. Hence my intense interest in the electric roll call system.

Since we have more members than you, with 240 House members, it takes us approximately 25 minutes to have a recorded vote. If you multiply that by the number of bills that must be voted upon, you can see something of our dilemma and may wonder how we honestly did manage to get out by the end of May.

Having said that, maybe I might just make one other comment so you may start your session today. I have long been interested in the State legislative progress and it has been with great regret that it has appeared to me, at least, as a trend that the State legislatures have yielded some of their prestige and authority to the Federal Government in Washington. It is my great hope that the State legislatures will be restored to a more influential position within their sovereign State lines.

I attended the Harvard commencement last week and I noted with great interest that the Graduate School of Business Administration had 600-odd members graduating in its class; the Law School had over 500; the School of Public Administration had 46. This, I think, is a commentary which we need to take note of. It is unfortunate that more of our young people do not feel the appeal for service in the fields of government that many of us have come to discover as such a worthwhile preoccupation of our time. I think if there are any observations I could make on dangerous trends at the State level, I would say that in Massachusetts, at least, there is the trend to a greater and greater per capita indebtedness, and I wonder sometimes how the future generation is going to be able to pay it off.

This, Mr. Speaker, I think constitutes briefly a little summation of why I am here, some of my interest in being here.

If I might speak just one moment on behalf of my traveling companion who is a major in government at Tufts University and a high ranking student, and a captain of teams in two sports, I would say that he also is interested in government. He was here at Williamsport some years ago, a winning pitcher up to the point of the consolation game, and so he is returning to Pennsylvania now for quite a different purpose, but he, like myself, is most happy and most appreciative of the opportunity to be with you.

Mr. Speaker, I thank you for this chance.

The SPEAKER. The Chair thanks our distinguished visitor and, if there are no objections, the Committee of the Whole will now arise.

REPORTS FROM COMMITTEE

Mrs. MARKLEY from the Committee on Motor Vehicles, reported as amended, House bill No. 1462, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), prohibiting the operation of motor vehicles at slow speeds upon State highways and highways under the supervision and control of turnpike commissions and providing penalties.

Mr. FRASCELLA from the Committee on Motor Vehicles, reported as amended, House bill No. 1631, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), authorizing third class cities to erect traffic signs on State highways without approval of the Secretary of Highways.

BILLS INTRODUCED AND REFERRED

By Messrs. PETROSKY and McCANN.

HOUSE BILL No. 1803.

An Act relating to charitable organizations, requiring the registration of such organizations and regulating the solicitation of moneys and property by or on behalf of charitable organizations.

Referred to the Committee on Welfare.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. WALSH asked and obtained permission for the Committee on Cities—Third Class to meet during the session of the House.

BIRTHDAY

The SPEAKER. The Chair understands that this is the birthday of the honorable gentleman from Philadelphia, Mr. PERRY.

The Chair recognizes Mr. Dengler.

Mr. DENGLER. Mr. Speaker, the gentleman from Philadelphia is named "Peter," so let us sing "Happy birthday, dear Peter."

I suggest that the gentleman from Massachusetts listen very closely, because I think this is the best singing legislature in the United States.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. PERRY.

Mr. PERRY. Mr. Speaker, I wish to thank the fine gentlemen and gracious ladies, the members of this House, for the warm birthday greetings. It is a distinct pleasure to be associated with you. In turn, I wish all of you the best that life has to offer.

Mr. McCANN. Mr. Speaker, while the House is at ease, could we take a moment to ask Mr. Dengler to explain to us why a day or two ago he indicated to various people that he did not believe there was too much wrong with the public address system. He has some points he would like to cover, and I think they will be helpful.

The SPEAKER. The Chair recognizes Mr. Dengler, who has been for a great many years, I understand, a radio announcer and has functioned in other matters of the kind. Let us have a word from Mr. Dengler regarding the technique of broadcasting.

Mr. DENGLER. Thank you, Mr. Speaker. I am glad to have this opportunity to speak on this subject.

I have been associated with radio and television since 1922, and I think we have done our operator up here in the balcony an injustice by blaming him for a lot of things that are really our fault.

The first thing that is wrong with this PA system is this: When the Chaplain has the invocation, this House

is quiet and you can understand every word and syllable that he utters. So, the first requisite for this PA system to work well is that the people listen and that there is not a noise pattern. I think this is a good PA system. I do not think there is anything wrong with it.

There are certain things that we should do when we get up to this microphone, if I may be so presumptuous as to try to teach; I guess I will forever be a teacher. First of all, when you get up to this microphone you want to be sure that you are speaking into the microphone. I am now about four inches away from this microphone. I will now move back eight inches. Notice the difference? I am out here and there is not half the intensity of the sound; it is now one-fourth the intensity of the sound because it is the square of the distance. That is a physical law. If you move away back here, I am speaking at about the same intensity. Now you move up and you have a decided change in the intensity. That is the first point: Speak into the microphone and keep your direction.

The second point I would like to bring to your attention is that you have to raise your voice to a certain degree. I notice that some people come up to the microphone and then speak something like this, and immediately the operator has to pull up what we call the VI, the voltage intensity, and then you pull in a lot of noises that are surrounding this microphone. You have to move away, in other words, to give a little bit of "oomph" to your voice. We can understand our majority leader very well because when he speaks, he speaks right into it and he speaks with some degree of voice intensity.

The third point that I have here is this, and I am guilty of this: Sometimes you come up here and you change the direction of your voice. These microphones are highly directional. You cannot pull off to the side this way or this way. You have to keep speaking. Remember, this is a mechanical instrument and it has to be treated as a mechanical instrument.

The fourth point is this: do not get dramatic. You cannot all of a sudden shout in these things, and then get away down here. This fellow up here is not ready for it. If you had a radio program, you would rehearse and he would know the high levels and the low levels. But when you get up before this microphone you cannot shout and then all of a sudden reduce the intensity. In other words, if you want to get dramatic, I would suggest that you have a special session with the operator so he knows the high spots and the low spots in your speech, and he will pull you up or pull you down as the case may be.

The fifth and last point is this: This is a large room and you have to give the sound a chance to bounce off these walls and come back before the next sound is uttered. I believe, ladies and gentlemen and Mr. Speaker, I have never heard a better PA system anywhere than this one, and I do not think we need to change it one bit; I do not think we need to change whatever the setup is now; and I do not think we should blame the operator. I think we should be a little more careful when we get before the microphone so that it is set properly, so that we keep the voice at about the same intensity and that we do the job here rather than expecting the PA system to do some super things that it cannot possible do.

I am grateful for this time, and I hope it will do some good. Thank you.

The SPEAKER. The Chair certainly thanks Mr. Dengler.

REPORT FROM COMMITTEE

Mr. GAILEY from the Committee on Cities—Third Class, reported as committed, Senate bill No. 674, entitled:

An Act amending the act of June 23, 1931 (P. L. 932), entitled "The Third Class City Code" permitting cities to make appropriations to industrial development agencies.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 674, entitled:

An Act amending the act of June 23, 1931 (P. L. 932), entitled "The Third Class City Code" permitting cities to make appropriations to industrial development agencies.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

LEAVES OF ABSENCE

By unanimous consent leaves of absence were granted as follows:

Mr. Dougherty for Mr. CAULEY for today because of illness.

Mr. Tompkins for Mr. SLACK for today because of illness in family.

Mr. Tompkins for Mr. STRAUSSER for today.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1531, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), authorizing transfer to certain boards of township supervisors without charge or at a nominal fee materials salvaged from State highways and bridges.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Adams,	Fulmer,	Lee, A. M.,	Renwick,
Anderson, J. H.,	Galley,	Lee, K. B.,	Riley,
Anderson, S. A.,	Gallagher,	Leonard,	Rovanssek,
Arlene,	Gelfand,	Limper,	Royer,
Ashton,	George,	Lippincott,	Rubin,
Auker,	Gibb,	Long, Wm. Jas.,	Rudisill,
Bachman,	Gibbons,	Long, Wm. Jos.,	Rutherford,
Backenstoe,	Goldstein, J. H.,	Lutty,	Scarcell,
Blair,	Goldstein, M. H.,	Magee,	Schaaf,
Boies,	Goodrich,	Manbeck,	Schuster,
Bonner,	Gramlich,	Markley,	Seltzer,
Bossert,	Gray,	Marsh,	Shelton,
Bower,	Greenlee,	Maxwell,	Sherman,
Bowman,	Gremminger,	May,	Shupnik,
Branca,	Gross,	McCandless,	Simmons,
Breth,	Guesman,	McCann,	Snare,
Buchanan,	Guthrie,	McCormack,	Stank,
Bush,	Hamilton,	McDevitt,	Steckel,
Capano,	Hankins,	McDonald,	Stimmel,
Capitolo,	Hartley,	McInroy,	Stiteler,
Cianfrani,	Haudenshield,	McKeever,	Stone,
Cioffi,	Heavey,	McLaughlin,	Sullivan, J. A.,
Clarke,	Heffner,	McNally,	Sullivan, T. F.,

Comer,	Helm,	Meholchick,	Taylor,
Cooley,	Henzel,	Merry,	Thompson,
Crossin,	Hocker,	Miller,	Tomascik,
Curwood,	Holl,	Mills,	Tompkins,
Davis,	Holliday,	Monroe,	Trusio,
Dengler,	Holman,	Morley,	Ujobal,
Dennison,	Horst,	Mullen,	Varner,
Donaldson,	Irvls,	Munley,	Verona,
Dougherty,	Isaacs,	Murphy,	Wall,
Doughten,	Jenkins,	Murray,	Walsh,
Down,	Jim,	Musto,	Wargo,
Edwards,	Johnson, A. W.,	Needham,	Weidner,
Ellberg,	Johnson, R. P.,	O'Dell,	Welsh,
Elvey,	Jones,	O'Donnell, J. A.,	Wescott,
Eshback,	Kamyk,	O'Donnell, J. P.,	Whittaker,
Eshleman,	Keiser,	Ogilvie,	Willard,
Esler,	Kelly,	Parlante,	Willaredt,
Ewing,	Kernaghan,	Pashley,	Williams, A. D.,
Farabaugh,	Kessler,	Perry,	Williams, E. S.,
Fetterolf,	King,	Petrosky,	Wilt,
Filo,	Kistler,	Piper,	Wood,
Fineman,	Klein,	Polaski,	Worley,
Flynn,	Kooker,	Polen,	Wynd,
Forester,	Kornick,	Prendergast,	Yetter,
Foor,	Korns,	Price,	Zember,
Fox,	Kramer,	Pursley,	Zimmerman,
Frascella,	Lamb,	Reibman,	Andrews,
Fry,	Lawson,	Reidenbach,	Speaker

NAYS—0

NOT VOTING—7

Cauley,	Mihm,	Sakulsky,	Strausser,
Knecht,	Odorisio,	Slack,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

BILLS MADE SPECIAL ORDERS OF BUSINESS

Mr. McCANN. Mr. Speaker, I request permission to call bills under a special order of business.

The SPEAKER. The Chair hears no objection.

Mr. McCANN. Mr. Speaker, the first bill under the special order of business is House bill No. 1663, printer's No. 2352 on page 11 of today's calendar, bills on final passage.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1663, entitled:

An Act amending the "Selective Sales and Use Tax Act" approved March 6, 1956 (P. L. 1228), defining and creating an exemption for processing.

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. WORLEY. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. WORLEY asked unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the clerk for information.

Amend Sec. 1 (Sec. 2), page 2, line 11, by striking out "of" where it appears the first time, and inserting: canning or

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

The SPEAKER. Are these amendments accepted or are they debatable? Are they controversial?

Mr. McCANN. Yes, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Adams, Mr. Worley.

Mr. WORLEY. Mr. Speaker, I consulted the Legislative Reference Bureau and I have been informed that these amendments are necessary to clearly cover the situation of canning and processing of foods. They suggest that the words "canning or" be inserted as the amendments require.

Mr. McCANN. Mr. Speaker, the amendments offered by the gentleman from Adams, Mr. Worley, under line 11, dealing with the food industry, the cooking, freezing of fruits, vegetables, mushrooms, fish, seafood, meats or poultry, when a person engaged in such business packages such property in sealed containers for wholesale distribution, is covered in this section, and I ask that the amendments be opposed if they are in that category.

I wish a record roll call vote so we will save time on each of these amendments and so there will be no difficulty.

Mr. WORLEY. Mr. Speaker, I am informed by the Legislative Reference Bureau that the word "canning" should be in there, and the next bill also amended to conform with it so that it includes any fruits or vegetables that might be canned that would not be cooked. In other words, it will catch all possibilities of processing and canning. I recommend that the amendments be adopted.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. WORLEY and McCANN and were as follows:

YEAS—67

Adams,	Ewing,	Isaacs,	Steckel,
Anderson, J. H.,	Fetterolf,	Johnson, R. P.,	Stimmel,
Ashton,	Foor,	Kessler,	Thompson,
Auker,	Fox,	King,	Ujobal,
Backenstoe,	Fulmer,	Kistler,	Wall,
Blair,	George,	Kooker,	Weidner,
Bossert,	Gibb,	Lee, A. M.,	Wescott,
Bower,	Gibbons,	Lee, K. B.,	Willard,
Buchanan,	Goodrich,	Marsh,	Willaredt,
Davis,	Gramlich,	McCandless,	Williams, E. S.,
Donaldson,	Gross,	McInroy,	Wilt,
Down,	Guthrie,	Merry,	Wood,
Edwards,	Haudenshield,	Miller,	Worley,
Elvey,	Henzel,	Piper,	Wynd,
Eshback,	Holliday,	Price,	Zember,
Eshleman,	Holman,	Rutherford,	Zimmerman,
Esler,	Horst,	Simmons,	

NAYS—132

Anderson, S. A.,	Goldstein, M. H.,	Lutty,	Reibman,
Arlene,	Gray,	Magee,	Reidenbach,
Bachman,	Greenlee,	Markley,	Renwick,
Boies,	Gremminger,	May,	Riley,
Bonner,	Guesman,	McCann,	Rovansek,
Bowman,	Hamilton,	McCormack,	Royer,
Branca,	Hankins,	McDevitt,	Rubin,
Breth,	Hartley,	McDonald,	Rudisill,
Bush,	Heavey,	McKeever,	Scarcelli,
Capano,	Heffner,	McLaughlin,	Schaaf,
Capitolo,	Helm,	McNally,	Schuster,
Cianfrani,	Hocker,	Meholchick,	Shelton,
Cioffi,	Holl,	Mills,	Sherman,

Clarke,	Irvis,	Monroe,	Shupnik,
Comer,	Jenkins,	Morley,	Snare,
Cooley,	Jim,	Mullen,	Stank,
Crossin,	Johnson, A. W.,	Munley,	Stiteler,
Curwood,	Jones,	Murphy,	Stone,
Dengler,	Kamyk,	Murray,	Sullivan, J. A.,
Dougherty,	Keiser,	Musto,	Sullivan, T. F.,
Doughten,	Kelly,	Needham,	Taylor,
Eilberg,	Kernaghan,	O'Dell,	Tomasck,
Farabaugh,	Klein,	O'Donnell, J. A.,	Tompkins,
Filo,	Kornick,	O'Donnell, J. P.,	Trusio,
Fineman,	Korns,	Ogilvie,	Varnar,
Flynn,	Kramer,	Parlante,	Verona,
Forester,	Lamb,	Pashley,	Walsh,
Frascella,	Lawson,	Perry,	Wargo,
Fry,	Leonard,	Petrosky,	Welsh,
Galley,	Limper,	Polaski,	Whittaker,
Gallagher,	Lippincott,	Polen,	Williams, A. D.,
Gelfand,	Long, Wm. Jas.,	Prendergast,	Yetter,
Goldstein, J. H.,	Long, Wm. Jos.,	Pursley,	Andrews,

Speaker

NOT VOTING—11

Cauley,	Manbeck,	Odorisio,	Slack,
Dennison,	Maxwell,	Sakulsky,	Strausser,
Knecht,	Mihm,	Seltzer,	

So the question was determined in the negative and the amendments were not agreed to.

Mr. PURSLEY asked and obtained unanimous consent to offer amendments at this time.

Mr. McCANN. On line 13, page 3, under subsection 6, "The preparation of animal feed or poultry feed for sale" is defined in exact words. I wonder if the gentleman would care to withdraw the amendments?

Mr. PURSLEY. Mr. Speaker, I do.

The SPEAKER. The amendments are withdrawn.

Mr. WILLARD asked unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the clerk for information.

Amend Sec. 1 (Sec. 2), page 4, by inserting between lines 17 and 18:

(11) Producing prefabricated houses buildings and similar structures.

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes the gentleman from Mercer, Mr. Willard.

Mr. WILLARD. Mr. Speaker, I would like to speak briefly on the amendments.

The SPEAKER. The gentleman is in order.

Mr. WILLARD. Mr. Speaker, we have some contracting companies that manufacture buildings. They buy their steel, their sheeting, their lumber, that go into the manufacturing process. They do not erect these, but they fabricate these before erection. Then they are moved from their places of business out into outlying districts for erection. I believe they should be classed as manufacturers on account of the technical work they have to do. I thank you.

The SPEAKER. The Chair recognizes the majority leader.

Mr. McCANN. I rise to oppose the amendments offered by the gentleman, Mr. Willard, the exact language being, "producing prefabricated houses, buildings and similar structures." Estimated loss of revenue under this pro-

posed language in the state-wide sales and use tax act would be between \$20 and \$30 million, and I ask that they be opposed.

The SPEAKER. The Chair recognizes the gentleman from Mercer, Mr. Willard.

Mr. WILLARD. Mr. Speaker, I would like to interrogate the majority leader, please.

The SPEAKER. The gentleman from Mercer desires to interrogate the majority leader.

Will the majority leader consent?

Mr. McCANN. I shall, Mr. Speaker.

Mr. WILLARD. Mr. Speaker, I would like to know where we get this \$25 million loss in revenue? It is a question of use tax or sales tax, is it not? The manufacturer would have to charge a sales tax and the producer would have to charge a use tax. Are we going to lose any revenue? It is just a question of interpretation.

Mr. McCANN. Mr. Speaker, under these amendments, the revenue would be lost under the construction of homes, whether prefabricated or similar structures, which would be all buildings and houses built in this Commonwealth, and, in this field alone, all these would be removed from the sales tax. In the manufacturing at the company level of the prefabricated home, then, going to the present erection of the property, it is in this field that this was discussed, and the similar structures which are contained in your amendments, have by the Attorney General's office, definitely been defined as a tremendous loss of revenue.

Mr. WILLARD. I thank the gentleman.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. WILLARD and McCANN and were as follows:

YEAS—93

Adams,	Fulmer,	King,	Simmons,
Anderson, J. H.,	George,	Kistler,	Snare,
Ashton,	Gibb,	Kooker,	Steckel,
Auker,	Gibbons,	Korns,	Stimmel,
Backenstoe,	Goldstein, J. H.,	Lee, A. M.,	Stiteler,
Blair,	Goldstein, M. H.,	Lee, K. B.,	Thompson,
Bossert,	Goodrich,	Lippincott,	Tompkins,
Bower,	Gramlich,	Magee,	Ujobal,
Bowman,	Gross,	Manbeck,	Varnar,
Buchanan,	Guthrie,	Markley,	Wall,
Bush,	Haudenschild,	Marsh,	Weidner,
Davis,	Helm,	McCandless,	Wescott,
Dengler,	Henzel,	McInroy,	Whittaker,
Donaldson,	Hocker,	Merry,	Willard,
Down,	Holl,	Miller,	Willaredt,
Edwards,	Holliday,	Ogilvie,	Williams, A. D.,
Elvey,	Horst,	Piper,	Williams, E. S.,
Eshback,	Isaacs,	Prendergast,	Wilt,
Eshleman,	Johnson, A. W.,	Price,	Wood,
Esler,	Johnson, R. P.,	Pursley,	Worley,
Ewing,	Keiser,	Royer,	Wynd,
Fetterolf,	Kernaghan,	Rutherford,	Zember,
Foor,	Kessler,	Seltzer,	Zimmerman,
Fox,			

NAYS—107

Anderson, S. A.,	Gallagher,	Lutty,	Polen,
Arlen,	Gelfand,	May,	Reibman,
Bachman,	Gray,	McCann,	Reidenbach,
Boles,	Greenlee,	McCormack,	Renwick,
Bonner,	Gremminger,	McDevitt,	Riley,
Branca,	Guesman,	McDonald,	Rovasek,
Breth,	Hamilton,	McKeever,	Rubin,
Capano,	Hankins,	McLaughlin,	Rudisill,
Capitolo,	Hartley,	McNally,	Scarcelli,
Cianfrani,	Heavey,	Meholchick,	Schaaf,
Cioffi,	Heffner,	Mills,	Schuster,
Clarke,	Holman,	Monroe,	Shelton,
Comer,	Irvis,	Morley,	Sherman,

Cooley, Crossin, Curwood, Dougherty, Doughten, Eilberg, Farabaugh, Filo, Fineman, Flynn, Forester, Frascella, Fry, Galley,	Jenkins, Jim, Jones, Kamyk, Kelly, Klein, Kornick, Kramer, Lamb, Lawson, Leonard, Long, Wm. Jas., Long, Wm. Jos.,	Mullen, Munley, Murphy, Murray, Musto, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Parlante, Pashley, Perry, Petrosky, Polaski,	Shupnik, Stank, Stone, Sullivan, J. A., Sullivan, T. F., Taylor, Trusio, Verona, Walsh, Wargo, Welsh, Yetter, Andrews,
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Speaker

NOT VOTING—10

Cauley, Dennison, Knecht,	Maxwell, Mihm, Odorisio,	Sakulsky, Slack,	Strausser, Tomascik,
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So the question was determined in the negative and the amendments were not agreed to.

Mr. MANBECK asked unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the clerk for information.

Amend Sec. 1 (Sec. 2), page 2, line 13, by inserting after "distribution" and the killing, dressing, preparation and processing of poultry and packing thereof in containers with or without ice for wholesale distribution.

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

Mr. McCANN. Mr. Speaker, I rise to oppose the amendments offered by the gentleman from Lebanon, Mr. Manbeck. Although his amendments are of a broader scope, a portion will be found on lines 11, 12 and 13 on page 2, but not in the scope of the amendments he has offered, when you carefully read the definition contained in 11, 12 and 13 on page 2.

I ask that the amendment be opposed.

On the question recurring,

Will the House agree to the amendment?

The yeas and nays were required by Messrs. MANBECK and McCANN and were as follows:

YEAS—93

Adams, Anderson, J. H., Ashton, Auker, Backenstoe, Bossert, Bower, Bowman, Buchanan, Bush, Davis, Dengler, Donaldson, Down, Edwards, Elvey, Eshback, Eshleman, Esler, Ewing, Fetterolf, Foor, Fox, Fulmer,	George, Gibb, Gibbons, Goldstein, J. H., Goodrich, Gramlich, Gross, Guthrie, Haudenschild, Heffner, Helm, Henzel, Hocker, Holl, Holliday, Holman, Horst, Isaacs, Johnson, A. W., Johnson, R. P., Keiser, Kernaghan, Kessler,	King, Kistler, Kooker, Korns, Lee, A. M., Lee, K. B., Lippincott, Magee, Manbeck, Markley, Marsh, May, McCandless, McInroy, Merry, Miller, Ogilvie, Piper, Price, Pursley, Royer, Rutherford, Seltzer,	Simmons, Snare, Steckel, Stimmel, Stiteler, Thompson, Tompkins, Ujohal, Varner, Wall, Weidner, Wescott, Whittaker, Willard, Willaredt, Williams, A. D., Williams, E. S., Wilt, Wood, Worley, Wynd, Zember, Zimmerman,
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NAYS—109

Anderson, S. A., Arlene,	Gallagher, Gelfand,	Maxwell, McCann,	Prendergast, Reibman,
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Bachman, Blair, Boles, Bonner, Branca, Breth, Capano, Capitolo, Clanfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Dougherty, Doughten, Eilberg, Farabaugh, Filo, Fineman, Flynn, Forester, Frascella, Fry, Galley,	Goldstein, M. H., Gray, Greenlee, Gremminger, Guesman, Hamilton, Hankins, Hartley, Heavey, Irvie, Jenkins, Jim, Jones, Kamyk, Kelly, Klein, Kornick, Kramer, Lamb, Lawson, Leonard, Limper, Long, Wm. Jas., Long, Wm. Jos., Lutty,	McCormack, McDevitt, McDonald, McKeever, McLaughlin, McNally, Meholchick, Mills, Monroe, Morley, Mullen, Munley, Murphy, Murray, Musto, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Parlante, Pashley, Perry, Petrosky, Polaski, Polen,	Reidenbach, Renwick, Riley, Rovanssek, Rubin, Rudisill, Scarcelli, Schaaf, Schuster, Shelton, Sherman, Shupnik, Stank, Stone, Sullivan, J. A., Sullivan, T. F., Taylor, Tomascik, Trusio, Verona, Walsh, Wargo, Welsh, Yetter, Andrews,
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Speaker

NOT VOTING—8

Cauley, Dennison,	Knecht, Mihm,	Odorisio, Sakulsky,	Slack, Strausser,
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So the question was determined in the negative and the amendments were not agreed to.

Mr. HELM IN THE CHAIR

Messrs. GOODRICH, DAVIS and K. B. LEE asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Sec. 1 (Sec. 2), page 4, by inserting between lines 17 and 18:

(11) Processing or sawing of logs into lumber or wood products when engaged in as a business.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Sullivan, Mr. Lee.

Mr. K. B. LEE. Mr. Speaker, this amendment would take the manufacturing of lumber out of the sales and use tax. I believe the original intent of the bill as it originally was enacted by the House, intended that this manufacturing process should be included in the definition.

It is an important industry in Pennsylvania, and I ask the members on both sides to support the amendment.

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. McCANN. Mr. Speaker, I ask the membership of this House to oppose the amendments offered by the gentleman from Sullivan, Mr. Lee, to House bill 1663.

On the question recurring,

Will the House agree to the amendment?

The yeas and nays were required by Messrs. K. B. LEE and McCANN and were as follows:

YEAS—94

Adams, Anderson, J. H., Ashton, Auker, Backenstoe,	Fulmer, George, Gibb, Gibbons, Goldstein, J. H.,	Kistler, Kooker, Korns, Lee, A. M., Lee, K. B.,	Simmons, Snare, Steckel, Stimmel, Stiteler,
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Blair,	Goodrich,	Lippincott,	Thompson,
Bossert,	Gramlich,	Magee,	Tompkins,
Bower,	Gross,	Manbeck,	Ujobal,
Bowman,	Guthrie,	Markley,	Varner,
Buchanan,	Haudenshield,	Marsh,	Wall,
Bush,	Heffner,	May,	Weidner,
Davis,	Helm,	McCandless,	Wescott,
Dengler,	Henzel,	McInroy,	Whittaker,
Donaldson,	Hocker,	Merry,	Willard,
Down,	Holliday,	Miller,	Willaredt,
Edwards,	Holman,	Ogilvie,	Williams, A. D.,
Elvey,	Horst,	Piper,	Williams, E. S.,
Eshback,	Isaacs,	Price,	Wilt,
Eshleman,	Johnson, A. W.,	Pursley,	Wood,
Esler,	Johnson, R. P.,	Renwick,	Worley,
Ewing,	Keiser,	Royer,	Wynd,
Fetterolf,	Kernaghan,	Rutherford,	Zember,
Foor,	Kessler,	Seltzer,	Zimmerman,
Fox,	King,		

NAYS—104

Anderson, S. A.,	Gallagher,	Maxwell,	Polen,
Arlene,	Gelfand,	McCann,	Prendergast,
Bachman,	Goldstein, M. H.,	McCormack,	Reibman,
Boies,	Gray,	McDevitt,	Reidenbach,
Bonner,	Greenlee,	McDonald,	Riley,
Branca,	Greenminger,	McKeever,	Rovansek,
Breth,	Guesman,	McLaughlin,	Rubin,
Capano,	Hamilton,	McNally,	Rudisill,
Capitolo,	Hankins,	Meholchick,	Scarcelli,
Cianfrani,	Hartley,	Mills,	Schaaf,
Cloffi,	Heavey,	Monroe,	Schuster,
Clarke,	Irvis,	Morley,	Shelton,
Comer,	Jenkins,	Mullen,	Sherman,
Cooley,	Jim,	Munley,	Shupnik,
Crossin,	Jones,	Murphy,	Stank,
Curwood,	Kamyk,	Murray,	Sullivan, J. A.,
Dougherty,	Kelly,	Musto,	Sullivan, T. F.,
Doughten,	Klein,	Needham,	Taylor,
Ellberg,	Kornick,	O'Dell,	Tomasick,
Farabaugh,	Kramer,	O'Donnell, J. A.,	Trusio,
Filo,	Lamb,	O'Donnell, J. P.,	Verona,
Fineman,	Lawson,	Parlante,	Walsh,
Flynn,	Limper,	Pashley,	Wargo,
Forester,	Long, Wm. Jas.,	Perry,	Welsh,
Frascella,	Long, Wm. Jos.,	Petrosky,	Yetter,
Fry,	Lutty,	Polaski,	Andrews,

Speaker

NOT VOTING—12

Cauley,	Holl,	Mihm,	Slack,
Dennison,	Knecht,	Odorisio,	Stone,
Galley,	Leonard,	Sakulsky,	Strausser,

So the question was determined in the negative and the amendment was not agreed to.

Mr. A. W. JOHNSON asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Sec. 1 (Sec. 2), page 3, lines 14 to 16, by striking out all of said lines.

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. The Chair recognizes the gentleman from McKean, Mr. Johnson.

Mr. A. W. JOHNSON. Mr. Speaker, these amendments are being offered to strike out as an exemption, the words, "the production processing and bottling of non-alcoholic beverages for wholesale distribution."

The reasons for offering these strike-out amendments are these: This amendment was inserted the other evening when there was practically no one here on the floor. Many of us thought the amendments to be offered were corrective amendments and we did not realize that this par-

ticular classification was being inserted. I am not saying that there was any bad faith or anything, but it was purely a misunderstanding as to what the amendments did.

I am offering these amendments today so that the membership will have a chance to vote on whether they want as an exclusion, "the production processing and bottling of non-alcoholic beverages for whole distribution." If these amendments carry, they would be stricken out of the bill.

I believe I should say for the purposes of clarification, if the soft drink industry is classed as manufacturing, this exemption would do this, if you wanted to go into the soft drink business, when you built the manufacturing plant, you would pay a 4 percent sales tax on the construction of the building. The machinery, however, that went directly into the manufacturing process would be exempt from the sales tax. Likewise, the raw material going into the product that is being manufactured or processed would not be taxed through the manufacturer. However, the soft drink, when it is finally put together as a product and sold at retail, would be subject to the retail sales tax just like any other commodity.

Likewise, as stated previously by Mr. Willard, when they come to sell the prefabricated houses, they would be subject to the 4 percent sales tax just like houses are today. The only effect of Mr. Willard's amendments would be that the manufacturer of prefabricated houses would pay a sales tax when he built his plant, but would be exempt on his machinery that went directly into the manufacturing, but the office equipment, anything that went into the administration, would be subject to the sales tax.

These amendments are not as far-reaching as one might think, when you consider that a great deal of the products and the activities of manufacturing are subject to the sales tax even though they are exempt from the sales tax. So in this case, as I see it, the soft drink people would be exempt from paying a sales tax on the raw material going into the soft drink. They would have to pay a tax on their plant, their administrative equipment, their office equipment, and the only items that would be exempt would be the machinery that they would install to make the soft drink.

I think the House should know this, and I am offering these amendments to give this House an opportunity to reflect their sentiments on whether these people should be exempt or not.

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. McCANN. Mr. Speaker, I rise to oppose the amendments offered by the gentleman from McKean, Mr. Johnson, to House bill 1663.

I would like to clear a point that I am thankful he indicated; the technical amendments, which we had discussed, and then the other amendments, which are lines 14, 15 and 16 of this bill. There is a second set of amendments that were agreed to be put into the bill. These should have been caucused on in both caucuses. By placing it in this new position, we are now in the position of affirming if it should be in the bill.

I ask that our membership vote "no" on the amendments offered by the gentleman from McKean, Mr. Johnson.

On the question recurring,
Will the House agree to the amendment?

The yeas and nays were required by Messrs. A. W. JOHNSON and McCANN and were as follows:

YEAS—70

Adams,	Goldstein, J. H.,	Kelly,	Snare,
Anderson, J. H.,	Goodrich,	Kernaghan,	Steckel,
Ashton,	Gramlich,	Korns,	Stimmel,
Backenstoe,	Gross,	Lee, K. B.,	Stiteler,
Bossert,	Guthrie,	Lippincott,	Thompson,
Bowman,	Haudenshield,	Magee,	Tompkins,
Buchanan,	Heffner,	Markley,	Ujobai,
Dengler,	Helm,	Marsh,	Wall,
Donaldson,	Henzel,	May,	Wescott,
Down,	Hocker,	McInroy,	Willard,
Elvey,	Holl,	Merry,	Willaredt,
Eshback,	Holman,	Ogilvie,	Williams, A. D.,
Eshleman,	Horst,	Piper,	Williams, E. S.,
Esler,	Isaacs,	Price,	Wood,
Ewing,	Johnson, A. W.,	Royer,	Worley,
Fulmer,	Johnson, R. P.,	Rutherford,	Wynd,
Gibb,	Keiser,	Simmons,	Zember,
Gibbons,			Zimmerman,

NAYS—125

Anderson, S. A.,	Fry,	Long, Wm. Jos.,	Pursley,
Arlene,	Galley,	Lutty,	Reibman,
Auker,	Gallagher,	Maxwell,	Reldenbach,
Bachman,	Gelfand,	McCandless,	Renwick,
Blair,	Goldstein, M. H.,	McCann,	Riley,
Boles,	Gray,	McCormack,	Rovanse,
Bonner,	Greenlee,	McDevitt,	Rubin,
Bower,	Gremminger,	McDonald,	Rudisill,
Branca,	Guesman,	McKeever,	Scarcell,
Breth,	Hamilton,	McLaughlin,	Schaaf,
Capano,	Hankins,	McNally,	Schuster,
Capitolo,	Hartley,	Meholchick,	Shelton,
Cianfrani,	Heavey,	Miller,	Sherman,
Cioffi,	Holliday,	Mills,	Shupnik,
Clarke,	Irviss,	Monroe,	Stank,
Comer,	Jim,	Morley,	Stone,
Cooley,	Jones,	Mullen,	Sullivan, J. A.,
Crossin,	Kamyk,	Munley,	Sullivan, T. F.,
Curwood,	Kessler,	Murphy,	Taylor,
Davis,	King,	Musto,	Tomascik,
Dougherty,	Kistler,	Needham,	Trusio,
Doughten,	Klein,	O'Dell,	Varner,
Eilberg,	Kooker,	O'Donnell, J. A.,	Verona,
Farabaugh,	Kornick,	O'Donnell, J. P.,	Walsh,
Fetterolf,	Kramer,	Parlante,	Wargo,
Filo,	Lamb,	Pashley,	Weidner,
Fineman,	Lawson,	Perry,	Welsh,
Flynn,	Lee, A. M.,	Petrosky,	Whittaker,
Forester,	Leonard,	Polaski,	Wilt,
Foor,	Limper,	Polen,	Yetter,
Fox,	Long, Wm. Jas.,	Prendergast,	Andrews,
Frascella,			

NOT VOTING—15

Bush,	George,	Mihm,	Seltzer,
Cauley,	Jenkins,	Murray,	Slack,
Dennison,	Knecht,	Odorisio,	Strausser,
Edwards,	Manbeck,	Sakulsky,	

Speaker

So the question was determined in the negative and the amendment was not agreed to.

On the question recurring,
Will the House agree to the bill on third reading?
It was agreed to.

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Adams,	Fulmer,	Lee, A. M.,	Reidenbach,
Anderson, J. H.,	Galley,	Lee, K. B.,	Renwick,
Anderson, S. A.,	Gallagher,	Leonard,	Riley,

Arlene,	Gelfand,	Limper,	Rovanse,
Ashton,	George,	Lippincott,	Royer,
Auker,	Gibb,	Long, Wm. Jas.,	Rubin,
Bachman,	Gibbons,	Long, Wm. Jos.,	Rudisill,
Backenstoe,	Goldstein, J. H.,	Lutty,	Rutherford,
Blair,	Goldstein, M. H.,	Magee,	Scarcell,
Boles,	Goodrich,	Manbeck,	Schaaf,
Bonner,	Gramlich,	Markley,	Schuster,
Bossert,	Gray,	Marsh,	Seltzer,
Bower,	Greenlee,	Maxwell,	Shelton,
Bowman,	Gremminger,	May,	Sherman,
Branca,	Gross,	McCandless,	Shupnik,
Breth,	Guesman,	McCann,	Simmons,
Buchanan,	Guthrie,	McCormack,	Snare,
Bush,	Hamilton,	McDevitt,	Stank,
Capano,	Hankins,	McDonald,	Steckel,
Capitolo,	Hartley,	McInroy,	Stimmel,
Cianfrani,	Haudenshield,	McKeever,	Stiteler,
Cioffi,	Heavey,	McLaughlin,	Stone,
Clarke,	Heffner,	McNally,	Sullivan, J. A.,
Comer,	Helm,	Meholchick,	Sullivan, T. F.,
Cooley,	Henzel,	Merry,	Taylor,
Crossin,	Hocker,	Miller,	Thompson,
Curwood,	Holl,	Mills,	Tomascik,
Davis,	Holliday,	Monroe,	Tompkins,
Dengler,	Holman,	Morley,	Trusio,
Donaldson,	Horst,	Mullen,	Ujobai,
Dougherty,	Irviss,	Munley,	Varner,
Doughten,	Isaacs,	Murphy,	Verona,
Down,	Jenkins,	Murray,	Wall,
Edwards,	Jim,	Musto,	Walsh,
Eilberg,	Johnson, R. P.,	Needham,	Wargo,
Elvey,	Jones,	O'Dell,	Weidner,
Eshback,	Kamyk,	O'Donnell, J. A.,	Welsh,
Eshleman,	Keiser,	O'Donnell, J. P.,	Whittaker,
Esler,	Kelly,	Ogilvie,	Willard,
Ewing,	Kernaghan,	Parlante,	Willaredt,
Farabaugh,	Kessler,	Pashley,	Williams, A. D.,
Fetterolf,	King,	Perry,	Williams, E. S.,
Filo,	Kistler,	Petrosky,	Wilt,
Fineman,	Klein,	Piper,	Wood,
Flynn,	Kooker,	Polaski,	Worley,
Forester,	Kornick,	Polen,	Wynd,
Foor,	Korns,	Prendergast,	Yetter,
Fox,	Kramer,	Price,	Zember,
Frascella,	Lamb,	Pursley,	Zimmerman,
	Lawson,	Reibman,	Andrews,

Speaker

NAYS—0

NOT VOTING—10

Cauley,	Knecht,	Sakulsky,	Strausser,
Dennison,	Mihm,	Slack,	Wescott,
Johnson, A. W.,	Odorisio,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

The SPEAKER pro tempore. The gentleman from McKean, Mr. Johnson states that he would have voted "aye" on this bill.

AMENDMENTS TO HOUSE BILL No. 1664 WITHDRAWN

Mr. McCANN. Mr. Speaker, could I then at this point ask whether the Representatives who have amendments to House Bill 1664 are going to withdraw them at this point? One indicated he would withdraw now. Will there be amendments offered?

The SPEAKER pro tempore. The Chair recognizes the minority leader.

Mr. A. W. JOHNSON. Mr. Speaker, I believe as long as the amendments to 1663 apply with the same force and effect to 1664, as far as I am concerned, I will not offer my set of amendments. I believe Mr. Willard does not intend to, and I believe that goes for the rest of the members. They wanted to be considered, I am sure, that they

had offered amendments to 1664 and that the vote was the same. If any of them want to change it, I wish they would get up and do so.

Mr. McCANN. Mr. Speaker, I call up House bill No. 1664, printer's No. 2353, bills on final passage.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1664, entitled:

An Act amending the act of June 1, 1889 (P. L. 420), entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" creating an exemption for processing as defined and limited with regard to capital stock tax and franchise tax on domestic and foreign corporations joint-stock associations limited partnership and companies.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—198

Adams,	Fulmer,	Leonard,	Riley,
Anderson, J. H.	Galley,	Limper,	Rovanssek,
Anderson, S. A.,	Gallagher,	Lippincott,	Royer,
Arlene,	Gelfand,	Long, Wm. Jas.,	Rubin,
Ashton,	George,	Long, Wm. Jos.,	Rudisill,
Auker,	Gibb,	Lutty,	Rutherford,
Bachman	Gibbons,	Magee,	Scarcelli,
Backenstoe,	Goldstein, J. H.,	Manbeck,	Schaaf,
Blair,	Goldstein, M. H.,	Markley,	Schuster,
Boles,	Goodrich,	Marsh,	Seltzer,
Bonner,	Gramlich,	Maxwell,	Shelton,
Bossert,	Gray,	May,	Sherman,
Bower,	Greenlee,	McCandless,	Shupnik,
Bowman,	Gremminger,	McCann,	Simmons,
Branca,	Gross,	McCormack,	Snare,
Breth,	Guesman,	McDevitt,	Stank,
Buchanan,	Guthrie,	McDonald,	Steckel,
Bush,	Hamilton,	McInroy,	Stimmel,
Capano,	Hankins,	McKeever,	Stiteler,
Capitolo,	Hartley,	McLaughlin,	Stone,
Cianfrani,	Haudenshield,	McNally,	Sullivan, J. A.,
Cioffi,	Heavey,	Meholchick,	Sullivan, T. F.,
Clarke,	Heffner,	Merry,	Taylor,
Comer,	Helm,	Miller,	Thompson,
Cooley,	Henzel,	Mills,	Tomascik,
Crossin,	Hocker,	Monroe,	Tompkins,
Curwood,	Holl,	Morley,	Trusio,
Davis,	Holliday,	Mullen,	Ujobal,
Dengler,	Irviss,	Munley,	Varner,
Donaldson,	Isaacs,	Murphy,	Verona,
Dougherty,	Jenkins,	Murray,	Wargo,
Doughten,	Jim,	Musto,	Weldner,
Down,	Johnson, A. W.,	Needham,	Welsh,
Edwards,	Johnson, R. P.,	O'Dell,	Wescott,
Elberg,	Jones,	O'Donnell, J. A.,	Willard,
Elvey,	Kamyk,	Ogilvie,	Willaredt,
Eshback,	Keiser,	Parlante,	Williams, A. D.,
Eshleman,	Kelly,	Pashley,	Williams, E. S.,
Esler,	Kernaghan,	Perry,	Wilt,
Ewing,	Kessler,	Petrosky,	Wood,
Farabaugh,	King,	Piper,	Wynd,
Fetterolf,	Klein,	Polaski,	Yetter,
Filo,	Kooker,	Polen,	Zember,
Fineman,	Kornick,	Prendergast,	Zimmerman,
Flynn,	Korns,	Price,	Andrews,
Foerster,	Kramer,	Pursley,	Speaker
Foor,	Lamb,	Reibman,	
Fox,	Lawson,	Reidenbach,	
Frascella,	Lee, A. M.,	Renwick,	
Fry,	Lee, K. B.,		

NAYS—0

NOT VOTING—12

Cauley,	Horst,	Mihm,	Sakulsky,
Dennison,	Kistler,	O'Donnell, J. P.,	Slack,
Holman,	Knecht,	Odoristo,	Strausser,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Mr. McCANN. Mr. Speaker, I call up House bill No. 573, printer's No. 2241.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 573, entitled:

An Act amending the "Selective Sales and Use Tax Act" approved March 6, 1956 (P. L. 1228), further regulating the time of making returns.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—180

Adams,	Fry,	Lawson,	Reibman,
Anderson, J. H.	Galley,	Lee, A. M.,	Reidenbach,
Anderson, S. A.,	Gallagher,	Lee, K. B.,	Renwick,
Arlene,	Gelfand,	Leonard,	Riley,
Ashton,	George,	Limper,	Rovanssek,
Auker,	Gibb,	Lippincott,	Royer,
Bachman	Gibbons,	Long, Wm. Jas.,	Rubin,
Backenstoe,	Goldstein, J. H.,	Long, Wm. Jos.,	Rudisill,
Blair,	Goldstein, M. H.,	Lutty,	Rutherford,
Boles,	Goodrich,	Markley,	Scarcelli,
Bonner,	Gramlich,	Marsh,	Schaaf,
Bossert,	Gray,	Maxwell,	Schuster,
Bower,	Greenlee,	McCandless,	Shelton,
Bowman,	Gremminger,	McCann,	Sherman,
Branca,	Guesman,	McCormack,	Shupnik,
Breth,	Guthrie,	McDevitt,	Simmons,
Buchanan,	Hamilton,	McDonald,	Snare,
Capano,	Hankins,	McInroy,	Stank,
Capitolo,	Hartley,	McKeever,	Stimmel,
Cianfrani,	Haudenshield,	McLaughlin,	Stiteler,
Cioffi,	Heavey,	McNally,	Stone,
Clarke,	Heffner,	Meholchick,	Sullivan, J. A.,
Comer,	Helm,	Merry,	Sullivan, T. F.,
Cooley,	Henzel,	Miller,	Taylor,
Crossin,	Hocker,	Mills,	Thompson,
Curwood,	Holl,	Monroe,	Tomascik,
Davis,	Holman,	Morley,	Trusio,
Dengler,	Irviss,	Mullen,	Ujobal,
Donaldson,	Isaacs,	Munley,	Varner,
Dougherty,	Jenkins,	Murphy,	Verona,
Doughten,	Jim,	Murray,	Walsh,
Down,	Johnson, A. W.,	Musto,	Wargo,
Edwards,	Johnson, R. P.,	Needham,	Weldner,
Elberg,	Jones,	O'Donnell, J. A.,	Welsh,
Elvey,	Kamyk,	O'Donnell, J. P.,	Wescott,
Eshback,	Keiser,	Ogilvie,	Willard,
Eshleman,	Kelly,	Parlante,	Willaredt,
Esler,	Kernaghan,	Pashley,	Williams, A. D.,
Ewing,	Kessler,	Perry,	Williams, E. S.,
Farabaugh,	King,	Petrosky,	Wilt,
Fetterolf,	Klein,	Polaski,	Wood,
Filo,	Kooker,	Polen,	Wynd,
Fineman,	Kornick,	Prendergast,	Yetter,
Flynn,	Korns,	Price,	Zember,
Foerster,	Kramer,	Pursley,	Zimmerman,
Foor,	Lamb,	Reibman,	Andrews,
Fox,	Lawson,	Reidenbach,	
Frascella,	Lee, A. M.,	Renwick,	
Fry,	Lee, K. B.,		

Speaker

NAYS—17

Bush,	Gross,	Manbeck,	Seltzer,
Foor,	Holliday,	May,	Tompkins,
Fox,	Korns,	O'Dell,	Wall,
Fulmer,	Magee,	Piper,	Whittaker,
			Worley,

NOT VOTING—13

Cauley,	Horst,	Mihm,	Slack,
Dennison,	Klein,	Odoristo,	Steckel,
Foerster,	Knecht,	Sakulsky,	Strausser,
			Zimmerman,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Mr. McCANN. Mr. Speaker, I call up House bill No. 1450, printer's No. 2376.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1450, entitled:

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90), authorizing licenses for the retail sale of liquor and malt or brewed beverages on city premises in cities of the first class under certain terms and conditions and to be known as public event licenses.

On the question,

Shall the bill pass finally?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Eilberg.

Mr. EILBERG. Mr. Speaker, I would like to make a very brief statement on House bill No. 1450 regarding the amendments that have been introduced and made part of the bill. Apparently some of the hotels and liquor licensees were concerned that the city might be competing with them. There was no such thought in mind or intended.

It was done in order to make it absolutely clear that we only had Convention Hall in mind, and in so doing we are attempting to bring this situation in line with the International Airport, when they vote for the amendments the City would be permitted to put this in effect only at Convention Hall in Philadelphia. I would ask everyone's support for the bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—109

Anderson, S. A.,	Gallagher,	Lutty,	Prendergast,
Arlene,	Gelfand,	Maxwell,	Price,
Bachman	Gibbons,	McCann,	Reibman,
Blair,	Gray,	McCormack,	Reidenbach,
Boles,	Greenlee,	McDevitt,	Renwick,
Bonner,	Gremminger,	McDonald	Riley,
Branca,	Guesman,	McKeever,	Rovansek,
Capano,	Hamilton,	McLaughlin,	Rubin,
Capitolo,	Hankins,	McNally,	Scarcelli,
Cianfrani,	Hartley,	Meholchick,	Schaaf,
Cloffi,	Irviss,	Mills,	Schuster,
Clarke,	Jenkins,	Monroe,	Shelton,
Comer,	Jim,	Morley,	Sherman,
Cooley,	Jones,	Mullen,	Shupnik,
Crossin,	Kamyk,	Munley,	Stank,
Curwood,	Kelly,	Murray,	Stone,
Dougherty,	Klein,	Musto,	Sullivan, J. A.,
Doughten,	Kornick,	Needham,	Sullivan, T. F.,
Elberg,	Kramer,	O'Dell,	Taylor,
Eshback,	Lamb,	O'Donnell, J. A.,	Tomasick,
Farabaugh,	Lawson,	O'Donnell, J. P.,	Truso,
Fetterolf,	Lee, A. M.,	Parlante,	Verona,
Filo,	Leonard,	Pashley,	Wargo,
Fineman,	Limper,	Perry,	Welsh,
Flynn,	Lippincott,	Petrosky,	Williams, A. D.,
Frascella,	Long, Wm. Jas.,	Polaski,	Yetter,
Fry,	Long, Wm. Jos.,	Polen,	Andrews,
Galley,			Speaker

NAYS—91

Adams,	Fulmer,	Kernaghan,	Snare,
Anderson, J. H.	George,	Kessler,	Steckel,

Ashton,	Chbb,	King,	Stimmel,
Auker,	Goldstein, J. H.,	Kistler,	Stiteler,
Backenstoe,	Goldstein, M. H.,	Kooker,	Thompson,
Bossert,	Goodrich,	Korns,	Tompkins,
Bower,	Gramlich,	Lee, K. B.,	Ujobal,
Bowman,	Gross,	Magee,	Varner,
Breth,	Guthrie,	Markley,	Wall,
Buchanan,	Haudenshield,	Marsh,	Walsh,
Bush,	Heavey,	May,	Weidner,
Davis,	Heffner,	McCandless,	Wescott,
Dengler,	Helm,	McInroy,	Whittaker,
Donaldson,	Henzel,	Merry,	Willard,
Down,	Hocker,	Miller,	Willaredt,
Edwards,	Holl,	Murphy,	Williams, E. S.,
Elvey,	Holliday,	Ogllvie,	Wilt,
Eshleman,	Holman,	Piper,	Wood,
Esler,	Horst,	Pursley,	Worley,
Ewing,	Isaacs,	Royer,	Wynd,
Foerster,	Johnson, A. W.,	Rudisill,	Zember,
Foor,	Johnson, R. P.,	Rutherford,	Zimmerman,
Fox,	Keiser,	Simmons,	

NOT VOTING—10

Cauley,	Manbeck,	Sakulsky,	Slack,
Dennison,	Mihm,	Seltzer,	Strausser,
Knecht,	Odooristo,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Mr. McCANN. Mr. Speaker, I call up House bill No. 283, printer's No. 308, bills on third reading.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 283, entitled:

An Act providing for the regulation of lobbying requiring registration of lobbyists keeping accounts of contributions and of receipts and expenditures reports and statements under oath by lobbyists and persons receiving contributions or expending money to influence legislation.

On the question,

Will the House agree to the bill on third reading?

Mr. HOLMAN asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Sec. 2, page 2, lines 13 to 16, by striking out "any committee association or" in line 13, all of lines 14 to 16, and inserting: any duly organized State or local committee of a political party.

Amend Sec. 3, page 3, line 3, by inserting a paranthesis after "act"

Amend Sec. 3, page 3, line 3 and 4, by striking out "or a duly organized State or local committee of a political party")"

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair heafs none.

On the question,

Will the House agree to the amendments?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Perry, Mr. Holman.

Mr. HOLMAN. Mr. Speaker, I find it somewhat amazing that these amendments have not been agreed to. Briefly what they do is this: Generally they would bring unions under the coverage of this act. Specifically they would exempt any duly organized State or local com-

mittee of either political party and exempt such committee only.

Now, I would like to ask the question, why are unions exempt in the first instance, and why should organizations representing teachers, school directors, churches, business men, farmers and many others have to register and report under the provisions of this act while unions would not? I ask further why should unions be permitted to run at large and unrestrained while other groups interested in the passage or defeat of legislation are subject to regulation?

You will note on the calendar that House bill 884 would take away the prohibition against unions contributing to political parties. Now, if there is any question whatsoever as to the applicability of this lobbying bill to unions, I certainly think that would be an academic question when 884 is passed.

I have before me the Pennsylvania A. F. L.—C. I. O. House calendar which has been delivered to members for some time. On this calendar is House bill 283, which covers financial reports and which is favored by the A. F. of L. and C. I. O. Mr. Speaker, I think I would be for that bill also if I were exempted from it.

Now, unions spend quite a bit of money on lobbying activities, how much we will never know if the majority party votes in a block. I sincerely hope they will not do so because I feel that the lobby registration bill is to the best interest of the Commonwealth of Pennsylvania and I feel that these amendments are in the best interest of the people of this Commonwealth.

I would therefore respectfully request the members on both sides of the aisle to support these amendments and make this bill a better lobby regulation bill. I thank you, Mr. Speaker.

Mr. M. H. GOLDSTEIN. Mr. Speaker, I am in favor of a bona fide lobbying bill. I am also in favor of this amendment because it would place all categories of our economy in the same status. Labor is now a first-class group of citizens and should have first-class responsibilities.

The way this bill is drawn up and with the amendment being defeated, it will make House bill 283 absolutely a nullity.

Let me call this to your attention: On page 2, subparagraph 4, "Political committee" includes any committee association or organization which accepts contributions or makes expenditures for the purpose of influencing or attempting to influence the election of candidates . . ."

The word "candidate" is defined in the election code as any person who is a candidate in a primary or general election. "Political committee" is defined in the election code as follows:

"Every two or more persons who shall be elected, appointed, or chosen who have associated themselves and cooperate for the purpose, wholly or in part, wholly or in part, I repeat, "of raising, collecting or disbursing money, or of controlling or directing the raising, collection or disbursement of money for primary or election expenses."

If we pass this bill in its present form every lobbyist in Pennsylvania will be exempt from the act. Let me point out why and how:

Labor, of course, would be exempt by forming, for example, a non-partisan political action committee and file an expense account for \$150 or less for its political activity and file no account whatsoever for lobbying activities. I am quite certain the businessmen of this State are not stupid either. So they will form the wool-growers political action committee, and the wool-growers political action committee will do the same thing.

The bill, the way it is written today, is an open door for fraud. If you believe in a bona fide lobbying regulation, then you should take out the words "political committee" from this bill completely.

I say the bill in its present state would mean nothing. When the bill goes into force, or is passed by the Governor in its present form, every person who is a libbyist in the State of Pennsylvania who represents an association or group will form a political action committee for the purpose of electing somebody back in his own county, file an expense account with the election bureau and not be compelled to account for any activity in Harrisburg whatsoever.

Because this bill is meaningless in its present state we should vote for the amendment. We certainly should not allow a bill to be passed when we are kidding the people.

The fundamental reason this bill is in such bad shape is this: The scriveners of this bill took two acts of Congress, the lobbying bill and the corrupt practices act, incorporated them into one bill and they have no relationship to the situation in the State of Pennsylvania.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. HOLMAN and A. D. WILLIAMS, Jr., and were as follows:

YEAS—98

Adams,	George,	Kistler,	Simmons,
Anderson, J. H.	Gibb,	Kooker,	Snare,
Ashton,	Gibbons,	Koras,	Steckel,
Auker,	Goldstein, J. H.,	Lee, A. M.,	Stimmel,
Backenstoe,	Goldstein, M. H.,	Lee, K. B.,	Stiteler,
Blair,	Goodrich,	Lippincott,	Thompson,
Bossert,	Gramlich,	Magee,	Tompkins,
Bower,	Gross,	Manbeck,	Ujobai,
Bowman,	Guthrie,	Markley,	Varner,
Buchanan,	Haudenschild,	Marsh,	Wall,
Bush,	Heffner,	May,	Weidner,
Davis,	Helm,	McCandless,	Wescott,
Dengler,	Henzel,	McCormack,	Whittaker,
Donaldson,	Hocker,	McInroy,	Willard,
Down,	Holl,	Merry,	Willaredt,
Edwards,	Holliday,	Miller,	Williams, A. D.,
Elvey,	Holman,	O'Dell,	Williams, E. S.,
Eshback,	Horst,	Ogilvie,	Wilt,
Eshleman,	Isaacs,	Piper,	Wood,
Esler,	Johnson, A. W.,	Price,	Worley,
Ewing,	Johnson, R. P.,	Pursley,	Wynd,
Fetterolf,	Kelser,	Royer,	Zember,
Foor,	Kernaghan,	Rutherford,	Zimmerman,
Fox,	Kessler,	Seltzer,	Andrews,
Fulmer,	King,		Speaker

NAYS—102

Anderson, S. A.	Galley,	Lutty,	Prendergast,
Arlene,	Gallagher,	McCann,	Reibman,
Bachman	Gelfand,	McDevitt,	Reidenbach,
Boles,	Gray,	McDonald,	Renwick,
Bonner,	Greenlee,	McKeever,	Riley,
Branca,	Gremminger,	McLaughlin,	Rovansek,
Breth,	Guesman,	McNally,	Rubin,
Capano,	Hamilton,	Meholchick,	Rudistill,
Capitolo,	Hankins,	Mills,	Scarcell,
Cianfrani,	Hartley,	Monroe,	Schaaf,
Cioffi,	Heavey,	Morley,	Schuster,
Clarke,	Irvie,	Mullen,	Shelton,

Comer,	Jenkins,	Munley,	Sherman,
Cooley,	Jim,	Murphy,	Shupnik,
Crossin,	Jones,	Murray,	Stank,
Curwood,	Kamyk,	Musto,	Stone,
Dougherty,	Kelly,	Needham,	Sullivan, J. A.,
Doughten,	Klein,	O'Donnell, J. A.,	Sullivan, T. F.,
Ellberg,	Kramer,	O'Donnell, J. P.,	Taylor,
Farabaugh,	Lamb,	Parlante,	Tomasick,
Filo,	Lawson,	Pashley,	Trusio,
Fineman,	Leonard,	Perry,	Verona,
Flynn,	Limper,	Petrosky,	Walsh,
Foerster,	Long, Wm. Jas.,	Polaski,	Wargo,
Frascella,	Long, Wm. Jos.,	Polen,	Welsh,
Fry,			Yetter,

NOT VOTING—10

Cauley,	Kornick,	Odorisio,	Slack,
Dennison,	Maxwell,	Sakulsky,	Strausser,
Knecht,	Mihm,		

So the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. A. D. WILLIAMS, Jr. asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Sec. 2, page 2, line 11, by inserting after "corporation" labor union or labor organization

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Bucks, Mr. Williams.

Mr. A. D. WILLIAMS, Jr. Mr. Speaker, in the interest of saving time, lines 10 to 12 on page 2 of this bill define "Person" as an individual, partnership, committee, association or corporation. I have added the words "labor union or labor organization." My purpose is exactly the same as the gentleman's from Perry, Mr. Holman; my arguments are exactly the same, and I assume, unfortunately, that the vote will be absolutely the same.

However, I think that in fairness, the unions in Pennsylvania should not only not resist amendments like these but should be proposing such amendments.

I thank you.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. A. D. WILLIAMS, Jr. and HOLMAN and were as follows:

YEAS—97

Adams,	Gibb,	Kistler,	Simmons,
Anderson, J. H.,	Gibbons,	Kooker,	Snare,
Ashton,	Goldstein, J. H.,	Korns,	Steckel,
Auker,	Goldstein, M. H.,	Lee, A. M.,	Stimmel,
Backenstoe,	Goodrich,	Lee, K. B.,	Stiteler,
Blair,	Gramlich,	Lippincott,	Thompson,
Bossert,	Gross,	Magee,	Tompkins,
Bower,	Guthrie,	Manbeck,	Ujobal,
Bowman,	Haudenschild,	Markley,	Varnier,
Buchanan,	Heffner,	Marsh,	Wall,
Bush,	Helm,	May,	Weidner,
Dengler,	Henzel,	McCandless,	Wescott,
Donaldson,	Hocker,	McCormack,	Whittaker,
Down,	Holl,	McInroy,	Willard,
Edwards,	Holiday,	Merry,	Willaredt,
Elvey,	Holman,	Miller,	Williams, A. D.,
Eshback,	Horst,	O'Dell,	Williams, E. S.,

Eshleman,	Isaacs,	Ogilvie,	Wilt,
Esler,	Johnson, A. W.,	Piper,	Wood,
Ewing,	Johnson, R. P.,	Price,	Worley,
Fetterolf,	Keiser,	Pursley,	Wynd,
Foor,	Kernaghan,	Royer,	Zember,
Fox,	Kessler,	Rutherford,	Zimmerman,
Fulmer,	King,	Seltzer,	Andrews,
George,			Speaker

NAYS—102

Anderson, S. A.,	Fry,	Long, Wm. Jas.,	Polen,
Arlene,	Galley,	Long, Wm. Jos.,	Prendergast,
Bachman,	Gallagher,	Lutty,	Reibman,
Boles,	Gelfand,	McCann,	Reidenbach,
Bonner,	Gray,	McDevitt,	Renwick,
Branca,	Greenlee,	McDonald,	Riley,
Breth,	Gremminger,	McKeever,	Rovanssek,
Caputo,	Guesman,	McLaughlin,	Rubin,
Capitolo,	Hamilton,	McNally,	Rudisill,
Cooley,	Hankins,	Meholchick,	Scarcell,
Cianfrani,	Hartley,	Mills,	Schaaf,
Cloff,	Heavey,	Monroe,	Schuster,
Clarke,	Irlis,	Morley,	Shelton,
Comer,	Jenkins,	Mullen,	Sherman,
Crossin,	Jim,	Munley,	Shupnik,
Curwood,	Jones,	Murphy,	Stank,
Davis,	Kamyk,	Murray,	Stone,
Dougherty,	Kelly,	Musto,	Sullivan, J. A.,
Doughten,	Klein,	Needham,	Sullivan, T. F.,
Ellberg,	Kornick,	O'Donnell, J. A.,	Taylor,
Farabaugh,	Kramer,	Parlante,	Trusio,
Filo,	Lamb,	Pashley,	Verona,
Fineman,	Lawson,	Perry,	Walsh,
Flynn,	Leonard,	Petrosky,	Wargo,
Foerster,	Limper,	Polaski,	Welsh,
Frascella,			Yetter,

NOT VOTING—11

Cauley,	Maxwell,	Odorisio,	Strausser,
Dennison,	Mihm,	Sakulsky,	Tomasick,
Knecht,	O'Donnell, J. P.,	Slack,	

So the question was determined in the negative and the amendments were not agreed to.

Mr. M. H. GOLDSTEIN asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Sec. 3, page 3, line 15, by inserting after "wealth" or any of its political subdivisions

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny, Mr. Goldstein.

Mr. M. H. GOLDSTEIN. Mr. Speaker, these amendments are quite simple. The act now reads:

This act shall not apply to officers and employees of the Commonwealth when acting in their official capacities.

As amended, it would read:

This act shall not apply to officers and employees of the Commonwealth or any of its political subdivisions when acting in their official capacities.

If you pass this bill in its present state, if the mayor in the city of Pittsburgh or the mayor of Philadelphia or any councilman desires to come down here and participate in the passage or defeat of legislation, he will have to register as a lobbyist. It will mean that the lobbying act will be overwhelmed by registrations and thousands of representatives of local government.

I am certain the majority does not want that to occur, and I think it ought to be passed on a bipartisan basis.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. M. H. GOLDSTEIN and A. D. WILLIAMS, Jr. and were as follows

YEAS—95

Anderson, J. H.,	George,	King,	Steckel,
Ashton,	Gibb,	Kistler,	Stimmel,
Auker,	Gibbons,	Kooker,	Stiteler,
Backenstoe,	Goldstein, J. H.,	Korns,	Thompson,
Blair,	Goldstein, M. H.,	Lee, A. M.,	Tompkins,
Bossert,	Goodrich,	Lee, K. B.,	Ujobal,
Bower,	Gramlich,	Magee,	Varnar,
Bowman,	Gross,	Markley,	Wall,
Buchanan,	Guthrie,	Marsh,	Weidner,
Bush,	Haudenshield,	May,	Wescott,
Davis,	Heffner,	McCandless,	Whittaker,
Dengler,	Helms,	McInroy,	Willard,
Donaldson,	Henzel,	Merry,	Willaredt,
Down,	Hocker,	Miller,	Williams, A. D.,
Edwards,	Holl,	Murphy,	Williams, E. S.,
Elvey,	Holliday,	O'Dell,	Wilt,
Eshback,	Holman,	Ogilvie,	Wood,
Eshleman,	Horst,	Piper,	Worley,
Esler,	Issacs,	Price,	Wynd,
Ewing,	Johnson, A. W.,	Pursley,	Yetter,
Fetterolf,	Johnson, R. P.,	Royer,	Zember,
Foor,	Kelser,	Rutherford,	Zimmerman,
Fox,	Kernaghan,	Simmons,	Andrews,
Fulmer,	Kessler,	Snare,	Speaker

NAYS—103

Adams,	Fry,	Long, Wm. Jos.,	Polen,
Anderson, S. A.,	Galley,	Lutty,	Prendergast,
Arlene,	Gallagher,	Manbeck,	Reibman,
Bachman,	Gelfand,	McCann,	Reidenbach,
Boles,	Gray,	McCormack,	Renwick,
Bonner,	Greenlee,	McDevitt,	Riley,
Branca,	Gremminger,	McDonald,	Rovanssek,
Breth,	Guesman,	McKeever,	Rubin,
Capano,	Hamilton,	McLaughlin,	Rudisill,
Capitolo,	Hankins,	McNally,	Scarcelli,
Cianfrani,	Hartley,	Meholchick,	Schaaf,
Cioffi,	Heavey,	Mills,	Schuster,
Clarke,	Irviss,	Monroe,	Shelton,
Comer,	Jenkins,	Morley,	Sherman,
Cooley,	Jim,	Mullen,	Shupnik,
Crossin,	Jones,	Munley,	Stank,
Curwood,	Kamyk,	Murray,	Stone,
Dougherty,	Kelly,	Musto,	Sullivan, J. A.,
Doughten,	Klein,	Needham,	Sullivan, T. F.,
Ellberg,	Kornick,	O'Donnell, J. A.,	Taylor,
Farabaugh,	Kramer,	O'Donnell, J. P.,	Trusilo,
Filo,	Lawson,	Parlante,	Verona,
Fineman,	Leonard,	Pashley,	Walsh,
Flynn,	Limper,	Perry,	Wargo,
Foerster,	Lippincott,	Petrosky,	Welsh,
Frascella,	Long, Wm. Jas.,	Polaski,	

NOT VOTING—12

Cauley,	Lamb,	Odorisio,	Slack,
Dennison,	Maxwell,	Sakulsky,	Strausser,
Knecht,	Mihm,	Seitzer,	Tomasick,

So the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. A. W. JOHNSON. Mr. Speaker, in view of the very able presentation by Messrs. Fulmer, Goldstein and Williams, and our having pointed out the several defects in

this bill and the utter discrimination in the bill, I do not see how anybody can really fairly and squarely vote for this bill.

I therefore ask the members on this side of the House and in this House to vote against the bill.

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. McCANN. Mr. Speaker, I ask the membership of the entire House to vote in favor of House bill 283, lobbyist registration bill.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Bucks, Mr. Williams.

Mr. A. D. WILLIAMS, Jr. Mr. Speaker, will the majority leader permit himself to be interrogated?

The SPEAKER pro tempore. Will the majority leader permit himself to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

Mr. A. D. WILLIAMS, Jr. Mr. Speaker, we have just seen two attempts to place organized labor within the concept of this bill.

Mr. Speaker, would the majority leader tell this House if there are any other similar groups which will be exempt from this law if it passes?

Mr. McCANN. Mr. Speaker, I could not define any other groups that I know of. However, after I listened to Mr. Goldstein's debate I suppose many groups would be exempt if he were correct in what they would have to eventually do. But I could not, Mr. Speaker, define any.

Mr. A. D. WILLIAMS, Jr. Mr. Speaker, would the committee on political education have to report under this bill if it passes?

Mr. McCANN. The political action committee? I do not know if they would have to register; I do not believe they lobby on any legislation, although I suppose in one place or another, after listening to the new committees they could form, there are items that could be included.

Mr. A. D. WILLIAMS, Jr. I thank the gentleman.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny, Mr. Goldstein.

Mr. M. H. GOLDSTEIN. Mr. Speaker, will the majority leader consent to be interrogated?

The SPEAKER pro tempore. Will the gentleman from Greene, Mr. McCann, permit himself to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

Mr. M. H. GOLDSTEIN. Will the majority leader state whether or not my explanation is correct after he reviewed sections 3 and 2, that any group that associates itself with a political committee, regardless of whether it is labor or business, would be exempt from this act?

Mr. McCANN. Mr. Speaker, I did not answer the question because we talked about a new committee that they could form. I believe you meant subsection 4, on page 2, line 13, is that correct, sir?

Mr. M. H. GOLDSTEIN. Well, I will repeat and tell you what I mean. I think this is an important bill and we ought to give it as much attention as a fishing measure, or something like that.

Section 3 reads as follows:

Persons to Whom Act if Applicable The provisions of this act shall apply to any person (except a political committee as defined in section 2 of this act. . .

Of course, it goes on to say "a duly organized State" committee. I am not referring to that.

Now, a political committee, on page 2, lines 13 to 16 inclusive, is defined and is exempted from the act:

"Political committee" includes any committee association or organization which accepts contributions or makes expenditures for the purpose of influencing or attempting to influence the election of candidates. . .

If a committee of the Wool Growers Association in Bucks County, Pennsylvania, decides to organize for political purposes, would it not be exempt under this act?

Mr. McCANN. If under sub-definition on 4, dealing as you specifically stated; under section 3 we except a political committee as defined in section 2. My question of course would be, Mr. Speaker, that a political committee dealing with the election of a candidate is one item, a political committee dealing with the passage, or enactment, or assisting in the enactment or passage of legislation would be another item. If the committee only dealt with the election, the answer, I believe, that Mr. Goldstein made would be correct. But suppose that committee also, besides dealing with an election, dealt with legislation in an attempt to enact, would it not, under the other exception, be subject to registration under this act?

Mr. M. H. GOLDSTEIN. No, Mr. Speaker, because the words "political committee" have been defined in the election code as a committee that acts for political purpose wholly or in part. Therefore, you will have the Wool Growers Association acting as a political action committee for lobbying purposes and also for election purposes.

I would like to vote for a bona fide lobbying bill, but I am afraid that when this bill is passed it will have no effect upon anybody in the State of Pennsylvania. That is the reason I ask this very serious question on whether or not we should re-define it to make sure that certain groups do not escape its provisions.

Mr. McCANN. Mr. Speaker, we believe this bill which was drawn by various learned attorneys working in this field, without a doubt, has certain merits and I would hope that the membership would support this bill. Perhaps it is not perfect—I do not say that it is—but I would say if you get the proper act on the books I believe you can move in the right direction in fulfilling the goals that you are seeking in that field. I cannot answer the gentleman's question as to what they could do. I realize that they are chartered in other fields to do certain things. Perhaps they could move in the direction he speaks of; I could not be sure except to say that under the definition that he mentioned, when they engage in the election of individual candidates, or presidential or vice presidential electors, they would be exempt under section 2. That would be sure.

Mr. M. H. GOLDSTEIN. Mr. Speaker, I want to be brief. The scriveners of this bill may be good lawyers, but all they did was get hold of two acts. They took two acts of Congress and 90 percent of the bills, and the terminology of the lobbying bill and the Corrupt Practices Act, and they made a bill which is vague and uncertain and which will defeat a good purpose.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Erie, Mr. Schaaf.

Mr. SCHAAF. Mr. Speaker, there are some members in this House, when it becomes uncomfortable to vote for a bill, their excuse and justification for their vote is that the bill does not accomplish its intended purpose. To my way of thinking that is not good thinking. I say, if this is deficient legislation, as some members suggest, then future sessions of the General Assembly can repair those deficiencies. But I think it is safe to say that the Democratic Party has always stood for this type of legislation and we know what has happened in prior sessions of the General Assembly.

Mr. Speaker, we want their vote.

QUESTION OF PERSONAL PRIVILEGE

The SPEAKER pro tempore. For what purpose does the gentleman from Allegheny, Mr. Goldstein, rise?

Mr. M. H. GOLDSTEIN. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER pro tempore. The gentleman will state it.
Mr. M. H. GOLDSTEIN. Mr. Speaker, the gentleman from Erie inferred that I tried to escape voting for this bill because I am seeking an excuse. I am not seeking an excuse.

I have voted for measures when they were dangerous. I will say the same thing to him that I said to a certain gentleman some weeks ago: I would like to see him cross the party line when he knows the other side is right, when his own conscience dictated they were right. But he never does so; he votes straight down the line regardless of the merits of the bill.

QUESTION OF PERSONAL PRIVILEGE

The SPEAKER pro tempore. For what purpose does the gentleman from Erie, Mr. Schaaf, rise?

Mr. SCHAAF. I rise to a question of personal privilege.

The SPEAKER pro tempore. The gentleman will state it.

Mr. SCHAAF. Mr. Speaker, my learned colleague, my esteemed friend, is much too sensitive. With reference to my party line adherence, I would suggest that he just watch the board. That is all.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Berks, Mr. Adams.

Mr. ADAMS. Mr. Speaker, I would like to interrogate the majority leader.

The SPEAKER pro tempore. Will the gentleman from Greene, Mr. McCann, permit himself to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

Mr. ADAMS. Mr. Speaker, would the administrators of a hospital who invited the legislators to sit down with them for dinner to discuss legislation be required to register as lobbyists?

Mr. McCANN. If he sat down to dinner with them for the purpose of enacting the passage or defeat of any legislation by the General Assembly of the Commonwealth of Pennsylvania, as on lines 9 and 10, section 3 on page 3, yes.

Mr. ADAMS. Does that include mental health associations? Presidents of universities?

Mr. McCANN. Mr. Speaker, when you say mental health, what do you mean, mental health citizens associations? Do you mean the Department of Public Welfare? What do you mean? Will you define it for me?

Mr. ADAMS. Local or county mental health organizations, private citizens who have a group formed for the purpose of furthering mental health.

Mr. McCANN. My answer would be, yes. The only exception, on page 3, that you read is: "This act shall not apply to officers and employes of the Commonwealth when acting in their official capacities." The Department of Welfare, no; our proper welfare people in their duty in the Commonwealth or whatever their position may be. The other associations I believe, and I say this in a general term, yes.

Mr. ADAMS. Mr. Speaker, would this include superintendents of schools?

Mr. McCANN. A superintendent of schools, I believe, is an employ of the school district in a respective area and not an employ, a direct employe, of the Commonwealth. It would be my honest opinion that the superintendent of schools is within this category. The answer would be, yes.

Mr. ADAMS. I thank the gentleman.

Mr. Speaker, I could go on and on with many other similar categories, but I would like to be on the record that these people and similar groups are included, would have to be included as lobbyists, so when the editorial writers start to call us bad boys for voting against this bill and these people start believing it, that they know who is included in the bill and who is not.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Dauphin, Mr. Bowman.

Mr. BOWMAN. Mr. Speaker, in this very, very important piece of legislation the silence of the usually vocal majority leader and majority party is deafening as to why labor unions are excluded from this act.

We have heard discussion on the technical defects of the bill, and I concur that there are many. We have heard discussion on little Mr. A and little Mr. B, this little organization, that little organization definitely being included within the provisions of this act, requiring them to register and reveal financial information.

What we have not heard is why the powerful, influential and admittedly important labor unions, labor organizations, are excluded from the provisions of this act.

Now they tell us, pass the bill even though it is insufficient, we will correct it in the future. I have heard that song so many times and I have also seen the ultimate results of poor legislation. They are thrown out by the courts; they are administratively unworkable. I say to you from the point of view of bill drafting, this is an unworkable, unintelligent bill at this time. Perhaps that is not the most important element of it. The bad feature of it is: Why, why in Heaven's name are labor unions exempted? Can anyone give me a good explanation? I would like to hear it, today, now. This is important. Get up and tell us why labor unions are exempted from the provisions of this act. If you can persuade me I will vote for the bill; if you cannot persuade me I will certainly vote against it.

Mr. GAILEY. Mr. Speaker, I think the debate in the House today has served, not to enlighten the membership of the House as to what is in this bill, but only to obscure it.

I want to make a number of points. I want to make them categorically without any hedging and without any maybes.

In my opinion, labor organizations are included within the scope of the bill. I do not think there is any question about it. I grant it is true that the arm of political labor, known as the Committee on Political Education, which is the committee they use, as I understand it, in elections to expend funds on behalf of various candidates would be exempt since it is a political committee. I defy anyone, however, to read section 3 on page 3 of this bill and tell me that labor organizations do not fall within the scope of this. It says "any person . . . who by himself or through any agent . . . directly or indirectly solicits, collects or receives money to be used principally to aid or the principal purpose of which person is to aid in the accomplishment of—" these purposes and then it sets them forth.

Turning also to page 7 of the bill, there are two sections that deal with this. It says, "Any person who engages himself for pay or for any consideration." This would obviously encompass those employes of labor organizations who are hired by labor organizations to come to us here in the halls of the legislature to present their point of view on bills, just as it would include the paid employes of the National Manufacturers' Association, The Pennsylvania Railroad and other people who have a vested and quite proper interest in the legislation which comes before us. I think there is no question about it, and I think for members who stand in the hall of this House and say that labor organizations are exempt is misstatement. I do not think there is any question about it whatsoever.

I would like to point out something else. I think perhaps, too, that the majority leader was misinformed when in answer to interrogation by the gentleman from Berks he said he thought that school superintendents, the president of a hospital board, and so forth, would be included within the purview of the act and would have to register. I call attention once again to these same two sections, and these are the sections that tell you when you have to register and what you have to do.

Section 3 says, "any person who . . . solicits, collects or receives money" for this purpose. I think it is highly unrealistic to say that the superintendent of your local hospital or the superintendent of your local school system is receiving money or collecting or soliciting for this purpose. He is paid a salary to do his job, but it is not for this purpose and I do not think he would be included within the purview of this act.

Once again, on page 7, in section 8, it says, "Any person who engages himself for pay or for any consideration for the purpose of attempting to influence the passage" of legislation. Once again, it is my opinion, and I think the language is perfectly clear that people in this category would be excluded, and your local superintendent of schools could come up here and buttonhole you and take you out to dinner if he wanted, and he would not have to register as a lobbyist under this act.

Once again, Mr. Speaker, this is legislation we have needed desperately up here for years. It is only fair to the people of Pennsylvania and to those of us in the halls of this legislature to know who is working up here, for what purpose, how much they are spending, and what they are spending it on. I suggest to you that if we hide behind the argument that this bill does not go far enough, it has loopholes, is to fly in the face of what it says di-

rectly in its content and that we should vote for this bill and vote for it overwhelmingly.

Mr. McCANN. Mr. Speaker, I answered the gentleman from Berks, Mr. Adams.

I do not know whether, when the superintendent of schools, or, we will say a school teacher, meets with a member of the General Assembly here in Harrisburg and is part of the educational committee of the county organization, that superintendent of schools would fall under this act. When a part, for example, of the PSEA county unit meeting here in Harrisburg to discuss legislation with you, certainly there would not be any inference or thought that if you met with the county board of school directors or the superintendent of schools in your county in discussing legislation that they would be registering, but I believe these people do serve on the various committees. I believe I am correct on this, that meeting with, helping to either adopt, defeat or enact legislation—and with that thought in mind I answered Mr. Adams very correctly.

Now take specific examples. If Mr. Bowman's question is correct, a labor union in Pennsylvania, whether it be a local of a union or the union itself in its name, let us specifically take United Steel Workers, which would be a large steel union, or take a local of that steel union, if you will, and in your opinion, if these people were engaged in trying to do exactly what this bill says, they would register. They would list their reports. They fall under the scope of this bill and, therefore, I cannot, in any way agree that in this category they would not be covered by the present proposed legislation. I ask that the membership vote in the affirmative in support of this.

Mr. A. D. WILLIAMS, Jr. Mr. Speaker, if I understood the gentleman from York, Mr. Gailey, correctly, it is his opinion as a legislator and a lawyer that this bill as presently drafted, as presently written, does include labor unions.

Mr. Speaker, it is my opinion that courts, in interpreting legislation will look to legislative intent only if there is ambiguity in the statutory language itself. I would like to address a question to the Chair.

Is there any way to formally place the legislative intent of this body upon the record?

The SPEAKER pro tempore. The Chair would inform the gentleman that legislative intent is established by the bill itself, by the entire debate on the bill, and by the voting on the bill. There is no way necessary that this House establish legislative intent by its vote on the legislative intent except by voting on the bill itself.

Mr. A. D. WILLIAMS, Jr. Mr. Speaker, may I interrogate the majority leader?

The SPEAKER pro tempore. Will the gentleman from Greene, Mr. McCann, permit himself to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

Mr. A. D. WILLIAMS, Jr. Mr. Speaker, will the gentleman from Greene, Mr. McCann, state whether or not he, as the majority leader of the majority party of Pennsylvania, agrees with the statement of the gentleman from York, Mr. Gailey, that labor unions are covered within the meaning and intent of this bill?

Mr. McCANN. I will emphatically say yes, that they are covered within the meaning of the bill, covering labor

unions as I just discussed in the previous statement a moment ago.

Mr. A. D. WILLIAMS, Jr. Mr. Speaker, I would like to interrogate the minority leader.

The SPEAKER pro tempore. Will the gentleman from McKean, Mr. Johnson, permit himself to be interrogated?

Mr. A. W. JOHNSON. I shall, Mr. Speaker.

Mr. A. D. WILLIAMS, Jr. Mr. Speaker, the gentleman from McKean, the minority leader, Mr. Johnson, has heard the statement of the gentleman from York, Mr. Gailey. He has now heard the statement of the gentleman from Greene, Mr. McCann, that labor unions are covered under the wording of this bill. Does Mr. Johnson agree with that statement as far as legislative intent of this body is concerned?

Mr. A. W. JOHNSON. Mr. Speaker, the position of the minority leader on this bill is, then, that I try to assign pieces of legislation to various members on this side of the House to handle. I have not made too thorough a study of the bill. I have been informed by all my advisers on this side of the House that labor unions were not included in the bill and that was the reason for offering the amendments and from what I have heard here today I am not convinced. I believe the advisers on our side are correct. If there was any dispute about it I think we should have accepted, particularly, the amendment offered by the gentleman from Bucks, Mr. Williams. If you say they are in, there is no reason why you could not have made the assurance doubly sure. Apparently there was some reason why on the other side of the House you felt that you would go against that amendment. I do not know why, but until we are shown by experts, legal service, elsewhere, we are of the opinion on this side that labor unions are not included in the bill.

Mr. A. D. WILLIAMS, Jr. I thank the Speaker.

Mr. BOWMAN. Mr. Speaker, the last 10 or 15 minutes of debate on this bill proves only one thing. This is "some kettle of fish."

The alleged experts who drafted this legislation—at least they were labeled experts by the majority leader—have produced a monster.

Some say labor unions are in; some say they are not. That crosses party lines. Some tell us this little gent has to register and others tell us this little gent does not have to register.

How ridiculous can we get in this House of Representatives when you have proponents of this type of legislation get up and say, "What we are doing today is stalling tactics or really an excuse to vote against this bill." That is ridiculous.

All I am asking is that we have a bill that is intelligent, that is readable. I say to you this debate today proves one thing and only one thing, that very few people, if any, know what is or what is not in this bill, and I support the minority leader when he says that if there is any question it could be clarified as to labor unions with one little amendment, which the majority party refused to accept.

I think it is high time that this legislature stops passing legislation such as this, leaving so many questions in doubt. Buckle down and say yes or no in every field. It is not that difficult and I cannot stand these excuses of, well, we will put it through and see what happens in the future. It is our duty to put through intelligent, readable,

understandable legislation and it is certainly no excuse to pass this bill today in light of the debate and the doubt that exists.

I certainly request that this bill either be postponed or that we defeat the bill if it must be called up for a vote.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. McCormack.

Mr. McCORMACK. Mr. Speaker, I would hate to debate this bill if I find out a half an hour later it is going to be put over, so I would like reasonable assurance that this is going to be voted on today. May I interrogate the majority leader?

The SPEAKER pro tempore. Will the gentleman from Greene, Mr. McCann, permit himself to be interrogated?

Mr. McCANN. I will, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will proceed.

Mr. McCORMACK. I just wanted to know, Mr. Speaker, whether we definitely are going to vote on this bill today?

Mr. McCANN. Mr. Speaker, I intended to have the bill voted on today and, of course, I hope it will be voted on following all of this debate.

Mr. McCORMACK. May I ask one more question? Mr. Speaker, in light of all this flourish of activity, has there been any lobbying against this bill by professional lobbyists?

Mr. McCANN. Mr. Speaker, I would not know whether there has been any professional lobbying against the bill any more than the gentleman from Philadelphia, Mr. McCormack, would.

Mr. McCORMACK. Thank you, Mr. Speaker. Mr. Speaker, this is a bill that we have been kicking around for many years in the legislature. It is a bill, I believe, that has formed a part of the Democratic platform for many years and it represents a philosophy of government that the Democratic Party believes in. I believe it has been traditional on the part of the Republican Party to oppose it. And we could take a bill that represents party platform and argue about technicalities and whether or not it includes everything that should be included and we would never get together, because it represents, as I say, a philosophy that is part of one party's program and against the other side. I think that the discussion about the labor unions today is just giving the minority side an excuse to vote against a bill which they have not only secretly, but openly, opposed.

This type of legislation is necessary in the great Commonwealth of Pennsylvania. I believe it is necessary in every State of the Union. What is possibly wrong with a requirement in the law that people who come up here and spend money to influence legislation to give an account of how they spend their money to influence us, to influence me as an individual legislator, and to influence the entire legislature as a whole? I think that no one can come up here and say that I, as an individual, do not cross party lines. If I believe that a bill or an amendment has merit, I have the courage to get up here and vote for what I believe is right. And if I believe that the union amendment should have been included, I would have voted for it, as I did. And I am not sure as to whether or not unions are included, but after listening to the arguments of the gentleman from York, I am in-

clined to believe that that amendment itself might have been unnecessary because the unions are included. I am satisfied with the work of the majority leader on this. But I do not think that we should use that as an excuse for killing a bill that we need badly in Pennsylvania.

I am not interested in the "gents" that might have to register, but I am interested in the "giants." I want to see their accounts, and to see how they spread their money around Harrisburg in getting legislation through. And in my experience in Harrisburg, they have been pretty successful, and I want to see whether or not spreading money around the capitol has anything to do with the large measure of success they have enjoyed in the past. Let us strip away all this subterfuge. If you are against the bill, then be against it because of your philosophy of government, but if you believe in good, decent and honest government, then I say this is a step in the right direction and you ought to vote for the bill. And if labor unions, as it turns out are not included, then put them in next year. But do not vote against it just because the bill is not all inclusive. It is a good bill, even if it does not go all the way.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Cameron, Mr. Tompkins.

Mr. TOMPKINS. Mr. Speaker, after listening to some of the arguments on the floor today, I am very concerned about certain portions of this bill. They relate principally to the amendments which Mr. Goldstein had offered, in connection with the municipal officers acting in their official capacity. Right now, from the statements between the majority leader and the gentleman from York, Mr. Gailey, and the gentleman from Berks, Mr. Adams, I am not sure in what manner, and at what time, and under what circumstances the county superintendent could talk to me about legislation. I would like to interrogate the majority leader on a couple points on that score.

The SPEAKER pro tempore. Will the gentleman from Greene, Mr. McCann, permit himself to be interrogated?

Mr. McCANN. I will, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will proceed.

Mr. TOMPKINS. Mr. Speaker, would this bill include the burgess of a borough, the mayor of a city, or the supervisor of the township?

Mr. McCANN. It would, in my opinion, include, if a man was engaged actively in that situation in lobbying for legislation, expending funds, and acting in this capacity, he certainly would fall in the category of being covered by this legislation.

Mr. TOMPKINS. Well, Mr. Speaker, I know that the majority leader is familiar with this program. I know he is familiar with the county supervisors, tax collectors, and auditors' meetings that are held annually. I do not know whether he attends them or not, but I know that I attended mine by invitation. Now when I attend that and they speak to me about legislation, and they are getting paid for being there at that meeting, what is the position of those organizations under those circumstances?

Mr. McCANN. Mr. Speaker, if I follow you correctly then, when there is a county or a State convention of supervisors, for example, and you, as a Representative, appear there as their guest to speak on the program, to also probably discuss legislation, which you do, the

question as I see it is you are not involved in it in any manner. When you attend these meetings, speak there, or even I suppose if you requested to be heard at such a meeting or convention, I do not believe that county organization, if such existed, would be required to register, to file a report under this proposed legislation, unless that county organization were here lobbying, expending money, in an effort to enact or defeat legislation.

Mr. TOMPKINS. Mr. Speaker, suppose in a question and answer period in this convention, they ask me about certain legislation and request me to vote in a certain way on certain legislation. Would that constitute lobbying?

Mr. McCANN. Mr. Speaker, that—

The SPEAKER pro tempore. For what purpose does the gentleman from York, Mr. Gailey, rise?

Mr. GAILEY. To ask whether or not the majority leader would yield to me, briefly, in this argument.

Mr. McCANN. I would be most pleased, Mr. Speaker, to yield to the gentleman from York, Mr. Gailey.

The SPEAKER pro tempore. The gentleman from Greene, Mr. McCann, yields to the gentleman from York, Mr. Gailey.

Mr. GAILEY. By way of answering the specific question which the gentleman, the minority whip, has asked, and also generally to attempt to clear up what has been obscured.

The SPEAKER pro tempore. The Chair would like to interrupt the gentleman. The Chair is in error. The gentleman from Cameron has the floor and was interrogating the majority leader. Now, does the gentleman from Cameron wish to direct the question to the gentleman from York?

Mr. TOMPKINS. I understood the majority leader yielded to the gentleman from York to answer that question. Is that right?

Mr. GAILEY. That was my understanding, Mr. Speaker. I took the floor solely for that purpose.

The SPEAKER pro tempore. For the purpose of answering the interrogation?

Mr. GAILEY. That is correct.

The SPEAKER pro tempore. The gentleman is then in order and will proceed.

Mr. GAILEY. As I was saying, Mr. Speaker, by way of answering this question specifically and also to put forth a few generalities about the area that the gentleman from Cameron has been interrogating the majority leader. I would like to call to his attention the specific language of the act in section 3, on page 3, under Persons to Whom Act Is Applicable. It says that it is applicable if they solicit, collect or receive money, the principle purpose of which is to be used to influence legislation. And then on page 7, section 8, any person who engages himself for pay or for consideration for the purpose of attempting to influence legislation. Now, what this means, Mr. Speaker, with regard to the gentleman's question, is that, of course, your board of township supervisors do not collect or solicit money, the principle purpose of which is to influence legislation. Of course they do not engage themselves for pay or consideration to influence legislation, but if they did, then they would have to register. If they did not, they could talk to the gentleman until he was willing to throw his hands up in mercy. And they could wine him and they could dine him, so

long as they did not solicit money. So long as they did not take pay, they could do it without registering.

Now, by way of further application, an employee of the Association of Township Supervisors, for instance, is paid for the purpose of influencing legislation and he would have to register. I hope this clears up this point. I think it is important and I think it has been obscured by some of the discussion that we have had.

The SPEAKER pro tempore. Will the gentleman from York, Mr. Gailey, permit himself to be interrogated?

Mr. GAILEY. I shall, Mr. Speaker.

Mr. TOMPKINS. If what he says then is true regarding receiving pay for trying to influence legislation, why then is it necessary to put an exemption in here to officers and employees of the Commonwealth when they are acting in their official capacity? Are they receiving extra pay for coming here to influence legislation or is it their regular pay which they receive?

Mr. GAILEY. I will be glad to answer the gentleman, Mr. Speaker. I think they fall clearly within the same category as township supervisors, the mayor in our local cities, either elected or appointed officials. Obviously, they are not employed by the Commonwealth for the purpose of influencing legislation, and I think in fact that the paragraph on page 3 to which the gentleman referred, lines 14 and 15, is surplusage. I think they are exempt anyway.

Mr. TOMPKINS. I thank the gentleman from York and I thank the gentleman from Greene.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Cameron, Mr. Tompkins.

Mr. TOMPKINS. Mr. Speaker, on page 2, section 2, subsection (3), the definition of a "Person" is defined as follows:

"Person" includes an individual, partnership, committee, association, corporation, and any other organization or group of persons including but not limited to public officers.

I am not satisfied that the situation I gave has been clarified regarding elected public officials. And I say to you that when we will pass legislation that is attempted to muzzle indirectly duly elected public officials in the Commonwealth of Pennsylvania, it is strictly unconstitutional, and we have absolutely no right to restrict their voice in governmental matters.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Greene, Mr. McCann.

Mr. McCANN. Mr. Speaker, the bill is clear and the statement he made is not in any way connected with the bill. If he was insinuating or saying would a burgess or a mayor whose principal occupation is to do this specific thing, to solicit money, to expend it in this purpose as defined in section 3, he certainly would fall in that category.

But can you, and do you, know how it would be possible for a public official to be in this category, since such a burgess or mayor—they are mayors under the new act—is elected as the official mayor? He therefore holds a public office, but if he were an employee of an organization whose job it was to help enact legislation by receiving salary for that, he would have to register and follow this law, irrespective of the fact that he was the burgess, because in that title he did not fall under this category.

I say to you that you cannot find in this bill the inference, Mr. Speaker, that the gentleman from Cameron, Mr. Tompkins, indicated in his last remarks.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Cameron, Mr. Tompkins.

Mr. TOMPKINS. Mr. Speaker, if the statement of the gentleman from Greene is correct, then again I raise the issue, why do you have to specifically exempt Commonwealth officials and employees?

And that is exactly the point that Mr. Goldstein was trying to clear up, and it does not make sense to me that he can give that argument now, that the gentleman from Greene, Mr. McCann, can now give the argument that he does and still say that it was necessary to put that section in about State employees.

I go back to what Mr. Bowman, the gentleman from Dauphin, has stated about this bill and this legislation, that it is confusing; that it is bad legislation; and that we should not put anything on the statute books just to see what is going to happen. We have had outlined to us today what can happen, what is likely to happen under this bill, and I think we ought to assume our proper responsibility to see that it is a proper bill when it is approved by the Governor, if it ever is.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Perry, Mr. Holman.

Mr. HOLMAN. Mr. Speaker, I first would like to address my remarks to the gentleman from Philadelphia, Mr. McCormack.

The amendments that I introduced to exempt political parties only and no one else was not introduced for the purpose of creating an excuse for the members of this House to vote against this legislation. I agree wholeheartedly with Mr. Goldstein. I am in favor of bona fide lobby legislation, but with the defeat of this amendment, I question whether the Democratic Party is interested in bona fide legislation. This would have taken away all the obscurity and ambiguity in this bill if my amendments were accepted.

It was voted down. I appreciate the vote that Mr. McCormack gave to me. I would also point out to the gentleman from Philadelphia that on many occasions I have voted on his side on legislation and did not pull the straight party toggle, so to speak.

Secondly, I would like to ask the gentleman from York, Mr. Gailey, if he would permit himself to be interrogated.

The SPEAKER pro tempore. Will the gentleman from York, Mr. Gailey, permit himself to be interrogated?

Mr. GAILEY. I shall, Mr. Speaker.

Mr. HOLMAN. Mr. Speaker, I refer to page 2, line 13:

(4) "Political committee" includes any committee association or organization which accepts contributions or makes expenditures for the purpose of influencing or attempting to influence the election of candidates or presidential and vice-presidential electors.

Now, Mr. Speaker, what is the purpose of this entire definition of a "political committee" if it is not to exclude the labor unions?

Mr. GAILEY. Mr. Speaker, I do not think it has any application to labor unions whatsoever. I will answer the gentleman this way: The purpose of a labor union, I think

the gentleman will agree, is not to accept contributions or make expenditures for the purpose of influencing the election of candidates. As a matter of fact, it is my understanding they are expressly forbidden to make contributions on behalf of any candidates of political parties.

Mr. HOLMAN. I am going to get to that in a minute.

Mr. GAILEY. Is that not correct?

Mr. HOLMAN. Well, is it not a fact that they do a considerable amount of lobbying? Is not one of their purposes to increase or lift the level of the laboring man?

Mr. GAILEY. I quite agree with the gentleman, Mr. Speaker, the representatives from organized labor on the Hill here, I have often said, are one of the few groups of lobbyists whose purpose extends beyond the mere particular purpose of the organization. It extends to the welfare of the whole State. He is quite right. They do have a very active interest in legislation and do talk to us in the hopes of influencing our vote and to write in their social and economic viewpoints.

Mr. HOLMAN. And through various committees, do they not, Mr. Speaker, contribute and work very diligently for the election of candidates to support their views in the legislature and in the Congress of the United States?

Mr. GAILEY. The gentleman is, once again, quite correct, but may I say that these committees are a separate entity from the labor organizations themselves. By law they must set up separate committees. This they do. It takes the form of various committees on political education.

Mr. HOLMAN. And they would be exempt by the provisions of this act, would they not?

Mr. GAILEY. These committees, organized by organized labor for political purposes, would be exempt since they are committees which accept contributions and make expenditures for influencing the election of candidates. However, it is not my understanding that any of these political committees, Committee on Political Education, what used to be known as the PAC, the Steelworker's separate political committee, none of these committees have paid employees working up here attempting to influence our vote. These are all employees of the labor organizations themselves and not of their political committees. Therefore, these men would have to register.

Mr. HOLMAN. Would they not, through the members that they elect to this House of Representatives, be indirectly influencing the passage or defeat of legislation in this House?

Mr. GAILEY. Mr. Speaker, I think, obviously if any candidate is supported by any organization, he listens with a sympathetic ear to the pleas of that particular organization or group, just as if the gentleman from Perry were elected with money from the National Manufacturers Association. He would listen sympathetically to them.

Mr. HOLMAN. That is correct. And that organization would have to register under this act, would it not?

Mr. GAILEY. If the National Association of Manufacturers collected money to influence legislation, if they had any representatives who were paid any consideration to talk to people in terms of influencing legislation, yes, they would have to register.

Mr. HOLMAN. Now, Mr. Gailey, in light of all your

answers to my questions, should House bill 884 pass, which is on third reading and will probably come up for vote today or in the very near future, which repeals the prior act removing the prohibition against unions making political contributions, what effect would that have on section 2, item (4) "Political Committee"?

Mr. GAILEY. As I understand, Mr. Speaker, if that bill is passed, and it certainly has not been passed, it is not even before us, but if the House would consent I have no objections to discussing other legislation.

It is not my understanding that that will have any impact. It merely removes certain prohibitions in the court practices act.

Mr. HOLMAN. Well, would you agree that a union would then be able to contribute to a political party?

Mr. GAILEY. I honestly cannot answer the gentleman.

Mr. HOLMAN. Well, Mr. Gailey, hypothetically assuming they could, would they then come in under the provision of "political committee"?

Mr. GAILEY. It would be my assertion, Mr. Speaker, that they would not.

Mr. HOLMAN. I thank the gentleman.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Perry, Mr. Holman.

Mr. HOLMAN. Mr. Speaker, I would like to interrogate the majority leader, if I may.

The SPEAKER pro tempore. Will the gentleman from Greene, Mr. McCann, permit himself to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

Mr. HOLMAN. Mr. Speaker, a short while ago the gentleman from Bucks, Mr. Williams, asked some specific questions. I would like to ask the majority leader whether Charles Sludden of the Railroad Brotherhood would have to register under the provisions of this act?

Mr. McCANN. Mr. Speaker, I assume that Charles Sludden is a member of the Brotherhood of Railroad Trainmen, which is a bona fide union, and my answer would be an emphatic "yes."

Mr. HOLMAN. Would Mr. Thomas of the United Mine Workers have to register under this act?

Mr. McCANN. I assume, if he falls in the same category as the previous gentleman, the answer would have to be "yes." So would each of the others that fall in that category.

Mr. HOLMAN. Harry Boyer of the AFL?

Mr. McCANN. I assume he is a member of the union, an officer of the AFL-CIO, and the answer would be "yes."

Mr. HOLMAN. I thank the gentleman.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Gelfand.

Mr. GELFAND. Mr. Speaker, some of the interrogations here certainly confuse and amaze me because it appears that the people who are conducting the interrogation either are unwilling to read the bill or have not examined it thoroughly, for instance, the interrogation that has just transpired pertaining to political committees.

There are only two places in this bill where the words "political committee" appear. One is on page 2, subsection 4, where it is defined; the second is on page 3, section 3, where it says, "The provisions of this act shall apply to any person (except a political committee as defined in section 2)" . . .)

The purpose of this legislation is so that people who come here on a paid basis to influence legislation, to lobby for or against legislation, shall be required to register and demonstrate how they expend the funds that they receive in order to influence legislation.

This exception says that a political committee whose purpose it is to influence the election of candidates, or presidential or vice presidential electors, shall not be required to register and do the necessary filing that is required under this bill.

The reason for that exception is simple. If you organize a political committee to influence the election of candidates, or the selection of presidential or vice presidential electors, you are not coming up to Harrisburg to lobby for or against legislation. That is not your sole purpose. And that is exactly all that it means.

Now why labor unions or any particular organization, should be specifically designated in the definition of "political committees" when they are exempted under section 3 of the act, I do not know. It does not purely define nor does it exclude labor unions, but it says, "any committee association or organization which accepts contributions for the purpose of influencing the election of candidates or presidential or vice presidential elections." The only thing I can say here is that this is a lot of obfuscation. It's purpose is to throw up a smoke screen over a bill which is perfectly clear and says what it means. If you are for this type of legislation, then you can vote for this bill, because it is clearly stated. If you are opposed to it, then vote against it. But do not come up here and say that the bill is worthless, useless, completely confused and does not say anything. It says clearly what it means to say, and, if you are in favor of that, then vote for it.

The SPEAKER pro tempore. Does the gentleman from Erie, Mr. O'Dell, desire to be recognized?

Mr. O'DELL. Mr. Speaker, I intended to interrogate the majority leader, but I will simply ask the questions at large: Why did we here in this House, a few moments ago, pass House bill 1663? Why did we pass it? We passed it to define "manufacturing." When we voted on this bill originally under the 1 percent, under the 3 percent and under the 4 percent, it was legislative intent—which we are talking about here today—to exempt this type of manufacturing.

I do not profess to be a learned attorney, but I cannot see in this bill that we are discussing now where labor unions are included. We might have legislative intent, but let me call your attention to the fact that when a bill leaves here and goes to the Senate and is signed by the Governor, it is up to the particular department that administers that bill to decide what they want to administer and what they do not want to administer. When this original sales tax bill went over to the Sales Tax Bureau, they decided against legislative intent; they decided that this particular type of manufacturing would be taxed. So let us not put a bill out of the House, as we have done several times this year, with legislative intent, and then leave it up to some other bureau here in Harrisburg to decide how the bill is going to be administered.

The SPEAKER pro tempore. The Chair recognizes the lady from Montgomery, Mrs. Henzel.

Mrs. HENZEL. Mr. Speaker, we have listened this after-

noon to a series of assumptions, confusions, not clearly defined specifications, and I rise not to protect those who would be forced to register under this particular bill, but I rise to protect the efficiency of us as legislators.

When I first came to the House in 1955, I had a dim view of lobbyists. However, during the course of my terms I have come to view them with respect because of the information they have been able to give me in order that I might reach more efficient conclusions in making my judgment in relation to bills.

I feel that if this legislation were enacted we would be driving from the halls of the House, and driving out from approach to us as legislators, and, perhaps, free communication between us as legislators and the people who are the oracles of information which we do not possess, those from whom we could gain the proper information to reach the proper conclusions. I feel that it is an inhibition to the proper process of our legislation, and with the confusion that exists I feel that we will be adding to our own inefficiency if we were to vote on a bill such as this with the confusion that exists within our minds and within the minds of those who are listening to this debate and what will be read by the people who will be presenting things to us, as the press will tell us, and we will be less efficient as a result thereof.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Sherman.

Mr. SHERMAN. Mr. Speaker, I can see no disagreement in this bill. Those on this side of the House are in favor of the bill; those on the other side, a good many, are against it. Apparently they had not said in singling out labor organizations, let us single out farmers, let us single out lawyers, let us single out doctors, or any other profession, but have said here, let us single out labor organizations. For what reason I cannot understand. But I do say this, that when you have every Philadelphia lawyer speaking in absolute agreement, you have a good bill. I think you should vote for it.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Blair, Mr. Holliday.

Mr. HOLLIDAY. Mr. Speaker, I do not believe that anybody in the room knows who is included in the bill and who is left out of that bill.

The gentleman from Berks asked the majority leader a few minutes ago whether a university president would be exempted from this bill or whether he would be forced to register. I would like to interrogate the majority leader on that question.

The SPEAKER pro tempore. The majority leader is on the telephone at present.

Will the gentleman from York, Mr. Gailey, answer the interrogation?

Mr. GAILEY. I shall, Mr. Speaker.

Mr. Speaker, the gentleman will have to give me a few more details.

Mr. HOLLIDAY. Mr. Speaker, the president of some of our universities that are not State-owned are hired by the universities to promote the welfare of that university. Part of those duties is to see that the university is granted or gets the proper kind of legislation passed here in Harrisburg so that they get their appropriations, and so forth. On page 5 it says that any person receiving con-

tributions or expending any money whatsoever to influence legislation, directly or indirectly, would be forced to register. Would a university president who came down here and had dinner with some of his alumni and talked to them about his program and the need for passing certain legislation be forced to register?

Mr. GAILEY. I would answer, categorically, no, Mr. Speaker. It says, and I will read the language again, "Any person who engages himself for pay or for any consideration for the purpose of attempting to influence the passage," and so forth. Obviously, the president of a university is not hired for that particular purpose. He is hired for the general purpose of running the university, and, if coming down to see the legislature to discuss bills pending before this House which will have an impact on his university is part of his duty, this he must do. But it does not bring him within the purview of this act.

Mr. HOLLIDAY. All right. Now, suppose we had a person who worked for a corporation and who is paid by that corporation a certain salary and expenses to do certain work, say, in Pittsburgh. But during a certain period of the year, when the legislature is in session, he is told to come down to Harrisburg and watch over things down here as part of his duties. Would he have to register as a lobbyist?

Mr. GAILEY. If he is engaged, once again, for pay or a consideration—

Mr. HOLLIDAY. That is only part-time work.

Mr. GAILEY. If the gentleman will let me finish.

If he is engaged for pay or for any consideration, the purpose of which is to attempt to influence the passage or defeat of legislation, the answer would be "yes." If you are speaking, for instance, of the president of the company, whose major duties obviously do not lie in this area, the answer would be "no." You have to decide in any given case. That is why you cannot be too specific in a bill of this sort.

The language must be couched in general terms.

Mr. HOLLIDAY. Suppose the sales manager of a company was sent down here, or came down here, or the general manager of a company came down here, and spent a few weeks watching legislation. Would he be forced to register if he talked to anybody here about certain laws?

Mr. GAILEY. He would be forced to register under either one of two circumstances, Mr. Speaker. If this person himself solicited or collected and expended money for the purpose of influencing legislation—

Mr. HOLLIDAY. Would the expenditure of money—

Mr. GAILEY. I have not finished my answer.

Mr. GAILEY. In answer to the gentleman, Mr. Speaker, if this person, be he sales manager, director of public relations, or president of the corporation is made to come to Harrisburg or to see the legislator locally, for that matter, to influence the passage or defeat of legislation, he would have to register.

Mr. HOLLIDAY. He is not given any more money than his regular yearly salary, but he comes down here and maybe entertains some people on an expense account. He is not paid to come here as a lobbyist. It is part of his duty and he is just paid his yearly salary.

Mr. GAILEY. I think in answer to the gentleman, he is contradicting himself. If it is part of his duties to come down here, obviously, that is a part of the duties for which he is paid; therefore, he would have to register.

Mr. Speaker, if I may answer further, because I think the gentleman, of course, as are all the gentlemen in the House, is absolutely sincere in interrogation. They want to get to the bottom of this. I think it depends to a certain extent upon the excess of the duty. Obviously, someone who is paid for this purpose must register.

I cannot think, although it would not be for me as an individual to determine, but I cannot think that someone who in the casual course of his employment comes to Harrisburg for a limited period of time to discuss matters of legislation which are of specific interest to his firm, be it a labor organization, be it a manufacturing concern, be it the Pennsylvania Medical Association, whatever the case may be, if it is merely casual and for a limited period of time, I cannot think that he falls within the purview of this act.

However, someone who is paid and the express understanding of his duties is that these are part of his duties, to undertake this, then I think under those circumstances he does fall within the purview of the act and should register.

Mr. HOLLIDAY. Thank you, Mr. Speaker. I still contend that I do not believe anybody in here knows who is covered under this act and who is not.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Heavey.

Mr. HEAVEY. Mr. Speaker, I would like to inform our friends on the other side of the aisle that the Taft-Hartley Act limits unions in the use of union funds for lobbying purposes. The only way they can lobby is by volunteer contributions of the members.

The SPEAKER pro tempore. Does the gentleman from Dauphin, Mr. Bowman, wish to be recognized?

Does the gentleman from Dauphin, Mr. Bowman, desire to make a motion?

Mr. BOWMAN. Mr. Speaker, I desire to make a motion, but only at the termination of the debate. I would like to be recognized at that time.

The SPEAKER pro tempore. Are there any other members who wish to debate the bill?

The Chair recognizes the gentleman from Beaver, Mr. Klein.

Mr. KLEIN. Mr. Speaker, although I did not actually draft this legislation I am one of the sponsors and I have studied this bill carefully. For the information of the other members of the House, I am an attorney.

I do not believe there is any question but that labor unions are covered by the definition of "person" in section 2. It says "association," and they would certainly be covered.

I might point out that we did not say "manufacturer's association," but they are covered, too.

Secondly, the definition of "political committee" includes perhaps labor union political committees, but it also would include any other political committee, such as, for example, the Republican Alliance in Philadelphia, I would believe, would be included.

It would be impossible to draw a bill that would cover every situation and every person who might be involved in coming to Harrisburg once or twice.

Section 3 contains language which any court could interpret. As to whether superintendents of schools, or some mayor of a city would be included depends on the circumstances. He might be included and he might not be included. It would depend on whether he came into one of the clauses of Section 3, that is, that he solicit, collect or receive money or any other thing of value to be used principally to aid in effecting legislation, or the other clause, that his principal purpose is to aid in the accomplishment of any of these enumerated purposes. Therefore, if the University of Pittsburgh has a man down here from January until the end of the session who is paid for that purpose, certainly he would have to register. But if the chancellor of the University came down here on one occasion to talk about one particular bill and he received an expense account from the university to cover his transportation, his hotel bill and his meals, and he incidentally had some legislators out to dinner, he would not be covered, in my personal opinion because he did not use the money principally to effect the legislation.

Now, if he came down here with a very large expense account and in addition to taking somebody to dinner he purchased a token of appreciation, like a '61 Cadillac and gave it to a legislator, you might have a different situation. He would be covered then.

I believe all the amendments that were offered today were unnecessary because the labor unions are obviously covered, and Mr. Goldstein's amendment is unnecessary because the bill takes care of the officers also.

As I stated earlier, they may or may not be covered by this bill depending upon the circumstances surrounding their visit here.

As to the provision which exempts officers and employees of the Commonwealth, it is my opinion that this is largely unnecessary, but perhaps in the case of a legislative secretary to a governor this provision is needed.

The SPEAKER pro tempore. The Chair had agreed at the end of the debate to recognize the gentleman from Dauphin, Mr. Bowman.

The Chair recognizes the gentleman from Dauphin, Mr. Bowman.

MOTION TO POSTPONE

Mr. BOWMAN. Mr. Speaker, I move you that House bill No. 283 be placed upon the final passage postponed calendar for possible clarification by amendment.

On the question,

Will the House agree to the motion?

Mr. McCANN. Mr. Speaker, I realize that they are going to ask for a roll call. I, of course, will consent to the roll call immediately. I rise to oppose. We have debated this bill for a period of an hour and a half now, or longer, and we have three other items.

Mr. Speaker, I rise to oppose and ask the membership to vote "no" on the motion made by the gentleman from Dauphin, Mr. Bowman, so that we may vote on the bill.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Messrs. BOWMAN and McCANN and were as follows:

YEAS—90

Adams,
Anderson, J. H.,

Fulmer,
George,

King,
Kistler,

Simmons,
Snare,

Ashton, Auker, Backenstoe, Blair, Bossert, Bower, Bowman, Buchanan, Bush, Davis, Dengler, Donaldson, Down, Elvey, Eshback, Eshleman, Esler, Ewing, Fetterolf, Foor, Fox,	Gibb, Gibbons, Goldstein, J. H., Goldstein, M. H., Gramlich, Gross, Guthrie, Haudenshield, Helm, Henzel, Hocker, Holl, Holliday, Holman, Horst, Isaacs, Johnson, A. W., Johnson, R. P., Kelser, Kernaghan, Kessler,	Kooker, Korns, Lee, A. M., Lee, K. B., Lippincott, Magee, Manbeck, Markley, Marsh, May, McCandless, McInroy, Merry, Miller, O'Dell, Ogilvie, Piper, Pursley, Royer, Rutherford, Zimmerman,	Steckel, Stimmel, Stiteler, Tompkins, Ujobal, Varner, Wall, Weidner, Wescott, Whittaker, Willard, Willaredt, Williams, A. D., Williams, E. S., Wilt, Wood, Worley, Wynd, Zember,
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NAYS—103

Anderson, S. A., Arlene, Bachman, Boles, Bonner, Branca, Breth, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Dougherty, Doughten, Eilberg, Farabaugh, Fillo, Fineman, Flynn, Foerster, Frascella, Fry,	Galley, Gallagher, Gelfand, Gray, Greenlee, Gremminger, Guesman, Hamilton, Hankins, Hartley, Heavey, Irvis, Jenkins, Jim, Kamyk, Kelly, Klein, Kornick, Kramer, Lamb, Lawson, Leonard, Limper, Long, Wm. Jas., Long, Wm. Jos., Lutty,	McCann, McCormack, McDevitt, McKeever, McLaughlin, McNally, Meholchick, Monroe, Morley, Mullen, Munley, Murphy, Murray, Musto, Needham, O'Donnell, J. A., O'Donnell, J. P., Parlante, Pashley, Perry, Petrosky, Polaski, Polen, Prendergast, Reibman, Reidenbach,	Renwick, Riley, Rovanseck, Rubin, Rudisill, Scarcelll, Schaaf, Schuster, Shelton, Sherman, Shupnik, Stank, Stone, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomasck, Trusio, Verona, Walsh, Wargo, Welsh, Wilt, Worley, Yetter, Andrews,
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NOT VOTING—17

Cauley, Dennison, Edwards, Goodrich,	Heffner, Jones, Knecht, Maxwell,	McDonald, Mihm, Mills, Odorisio,	Price, Sakulsky, Seltzer, Slack, Strausser,
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So the question was determined in the negative and the motion was not agreed to.

(During roll call)

The SPEAKER pro tempore. For what purpose does the gentleman from Erie, Mr. Schaaf, rise?

QUESTION OF PARLIAMENTARY INQUIRY

Mr. SCHAAF. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. SCHAAF. Mr. Speaker, I notice that some of the members of this House are in their seats and have not yet been recorded as voting on the tote board. What powers do we have to compel them to vote before the chief clerk locks the roll?

The SPEAKER pro tempore. According to the rules of the House, Members are required to vote.

Mr. SCHAAF. Thank you, Mr. Speaker.

On the question recurring,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—124

Anderson, S. A., Arlene, Bachman, Backenstoe, Boles, Bonner, Branca, Breth, Bush, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Donaldson, Dougherty, Doughten, Eilberg, Eshleman, Farabaugh, Fillo, Fineman, Flynn, Foerster, Fox, Frascella, Fry,	Fulmer, Galley, Gallagher, Gelfand, Gibbons, Gray, Greenlee, Gremminger, Guesman, Hamilton, Hankins, Hartley, Heavey, Heffner, Hocker, Irvis, Jenkins, Jim, Jones, Kamyk, Kelly, Kessler, Klein, Kornick, Kramer, Lamb, Lawson, Lee, K. B., Leonard, Limper, Long, Wm. Jas.,	Long, Wm. Jos., Lutty, Markley, McCann, McCormack, McDevitt, McDonald, McKeever, McLaughlin, McNally, Meholchick, Monroe, Morley, Mullen, Munley, Murphy, Murray, Musto, Needham, O'Donnell, J. A., O'Donnell, J. P., Trusio, Ujobal, Verona, Walsh, Wargo, Welsh, Williams, A. D., Wilt, Worley, Yetter, Andrews,	Renwick, Riley, Rovanseck, Royer, Rubin, Rudisill, Rutherford, Scarcelll, Schaaf, Schuster, Shelton, Sherman, Shupnik, Steckel, Stimmel, Stone, Sullivan, J. A., Sullivan, T. F., Taylor, Tomasck, Trusio, Ujobal, Verona, Walsh, Wargo, Welsh, Williams, A. D., Wilt, Worley, Yetter, Andrews,
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Speaker

NAYS—73

Adams, Anderson, J. H., Ashton, Auker, Blair, Bossert, Bower, Bowman, Buchanan, Davis, Dengler, Down, Edwards, Elvey, Eshback, Esler, Ewing, Fetterolf,	Foor, George, Gibb, Goldstein, J. H., Goldstein, M. H., Gramlich, Gross, Guthrie, Haudenshield, Helm, Henzel, Holl, Holliday, Holman, Horst, Isaacs, Johnson, A. W., Johnson, R. P.,	Kelser, Kernaghan, King, Kistler, Kooker, Korns, Lee, A. M., Lippincott, Magee, Manbeck, Marsh, May, McCandless, McInroy, Merry, Miller, O'Dell, Piper,	Pursley, Simmons, Snare, Stank, Stiteler, Thompson, Tompkins, Varner, Wall, Weidner, Wescott, Whittaker, Willard, Willaredt, Williams, E. S., Wood, Wynd, Zember, Zimmerman,
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NOT VOTING—13

Cauley, Dennison, Goodrich,	Knecht, Maxwell, Mihm,	Mills, Odorisio, Price,	Sakulsky, Seltzer, Slack, Strausser,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Mr. McCANN. Mr. Speaker, with the consent of the membership of this House, I will ask that two more roll calls be taken, a concurrence on page 41 and Senate bill 350 dealing with the Delaware River Basin Compact.

Mr. Speaker, on page 41, bills on concurrence in Senate amendments, I call up House bill 1165.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR

CONCURRENCE

The clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1165.

An Act amending the act of April 12, 1951 (P. L. 90), entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and and forfeitures providing for local option and repealing existing laws," authorizing issuance of special temporary permits for the retail sale of malt or brewed beverages at certain sporting events under certain conditions.

With the information that the Senate had passed the same with amendments in which the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The clerk will read the amendments.

The clerk read the amendments as follows:

Amend Section 1, page 3, line 6, by inserting after the word "permit" the following: the aforesaid permits shall be issued only to reputable individuals partnerships and associations who are or whose members are citizens of the United States and have for two years prior to the date of their applications been residents of the Commonwealth of Pennsylvania or to reputable corporations organized or duly registered under the laws of the Commonwealth of Pennsylvania all of whose officers and directors are citizens of the United States

page 4, line 3, by inserting after the words and figures "twenty-five dollars (\$25)" the following: a permit fee of one hundred dollars (\$100) and a surety bond in the amount of one thousand dollars (\$1000) conditioned the same as the license bonds required by this act for retail dispenser licenses

line 9, by inserting after the word "fee" the words "the permit fee and bond"; and by striking out after line 15, the following: (d) The fee for a permit shall be one hundred dollars (\$100) per season which shall be paid upon the issuance of the permit

page 5, by striking out after line 8 all of line 9 and part of line 10, as follows: accordance with the provisions of the "Administrative Agency Law" and its amendments and inserting in lieu thereof the following: the same manner as provided in section 464 and 471 of this act authorizing appeals from orders of the board

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Cameron, Mr. Tompkins.

Mr. TOMPKINS. Mr. Speaker, I merely want to call the attention of the Members of this House to the fact that this bill deals with the sale of alcoholic beverages in the Philadelphia ball park.

On the question recurring,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—116

Anderson, S. A.,	Gallagher,	Markley,	Reibman,
Arlene,	Gelfand,	Marsh,	Reidenbach,
Ashton,	Gibbons,	McCann,	Renwick,
Bachman,	Gray,	McCormack,	Riley,
Backenstoe,	Greenlee,	McDevitt,	Rovanssek,
Boles,	Gremminger,	McDonald,	Rubin,
Bonner,	Guesman,	McKeever,	Scarcelli,
Branca,	Hamilton,	McLaughlin,	Schaaf,
Breth,	Hankins,	McNally,	Schuster,
Capano,	Hartley,	Meholchick,	Shelton,
Capitolo,	Holl,	Mills,	Sherman,
Cianfrani,	Irviss,	Monroe,	Shupnik,
Cioffi,	Isaacs,	Morley,	Stank,
Clarke,	Jenkins,	Mullen,	Steckel,
Comer,	Jim,	Munley,	Stimmel,
Cooley,	Johnson, R. P.,	Murphy,	Stone,
Crossin,	Jones,	Murray,	Sullivan, J. A.,
Curwood,	Kamyk,	Musto,	Sullivan, T. F.,
Dougherty,	Kelly,	O'Dell,	Taylor,
Doughten,	Klein,	O'Donnell, J. A.,	Tomascik,
Down,	Kornick,	O'Donnell, J. P.,	Trusio,
Ellberg,	Kramer,	Parlante,	Ujbai,
Farabaugh,	Lamb,	Pashley,	Varner,
Fetterolf,	Lawson,	Perry,	Verona,
Filo,	Leonard,	Petrosky,	Wargo,
Fineman,	Limper,	Piper,	Welsh,
Flynn,	Long, Wm. Jas.,	Polaski,	Willaredt,
Frascella,	Long, Wm. Jos.,	Polen,	Yetter,
Galley,	Lutty,	Prendergast,	Andrews,

Speaker

NAYS—73

Adams,	Foor,	Johnson, A. W.,	Pursley,
Anderson, J. H.	Fox,	Kelser,	Royer,
Auker,	Fry,	Kernaghan,	Rudisill,
Blair,	Fulmer,	Kessler,	Rutherford,
Bossert,	George,	King,	Simmons,
Bower,	Goldstein, J. H.,	Kistler,	Snare,
Bowman,	Goodrich,	Kooker,	Stiteler,
Buchanan,	Gramlich,	Korns,	Tompkins,
Bush,	Gross,	Lee, K. B.,	Wall,
Davis,	Guthrie,	Magee,	Weidner,
Dengler,	Heavey,	Manbeck,	Whittaker,
Donaldson,	Heffner,	May,	Willard,
Edwards,	Helm,	McCandless,	Williams, A. D.,
Elvey,	Henzel,	McInroy,	Williams, E. S.,
Eshleman,	Hocker,	Merry,	Wood,
Esler,	Holliday,	Miller,	Worley,
Ewing,	Holman,	Needham,	Wynd,
Foerster,	Horst,	Ogilvie,	Zember,
			Zimmerman,

NOT VOTING—21

Cauley,	Haudenshield,	Mihm,	Slack,
Dennison,	Knecht,	Odorisio,	Strausser,
Eshback,	Lee, A. M.,	Price,	Thompson,
Gibb,	Lippincott,	Sakulsky,	Walsh,
Goldstein, M. H.,	Maxwell,	Seitzer,	Wescott,
			Wilt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, that the clerk inform the Senate accordingly.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 350, entitled:

An Act to create a regional agency by intergovernmental compact for the planning conservation utilization development management and control of the water and related natural resources of the Delaware River Basin for the improvement of navigation reduction of flood damage regulation of water quality control of pollution development of water supply hydroelectric energy fish and wildlife habitat and public recreational facilities and other purposes and defining the functions powers and duties of such agency.

On the question,

Will the House agree to the bill on third reading?
It was agreed to.

On the question,
Shall the bill pass finally?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Morley.

Mr. MORLEY. Mr. Speaker, I would like to read into the record the answers to some questions that I raised concerning the language of the compact. Some of those provisions which involve the provocation of this legislature seem to be hazy and obscure. The first question involved section 2.7: This section is in regard to an extension of the agency's powers outside of the basin.

The question was whether the use of the phrase "consent of State" would mean that the consent of the Legislature would be required. Mr. Miller, who is the Chief Counsel for the Delaware River Basin Advisory Committee, answered the question in this fashion." Mr. Miller indicated that an act of legislature would be necessary to permit any extension of the agency's powers outside of the basin and that it could not be done otherwise. In essence, therefore, the consent of the State means the consent of legislature."

The second question deals with annual current expense and capital budgets. "The question on this section was whether it was mandatory that the legislature must appropriate operating funds to the agency. Mr. Miller indicated that it was not mandatory and that the legislature could withhold operating costs. The agency would be required to submit its budget in the same manner followed by the State agencies in the various States. In short, the budgets would be subject to the same approval as may be required by the current budgetary processes of the various States. The legislature, in approving or disapproving the requests, must decide whether the request is warranted."

The next question concerns section 14. 11(b). This question was raised by a situation in the City of New York at the present time where the chairman of the New York Port Authority is under jail sentence for refusing to give a committee of the Congress of the United States information that is requested.

"This section concerns the annual independent audit. The question was whether the duly authorized officers or representatives of the signatory parties entitled to examine, audit, or have access to the records of the commission included the legislature. Mr. Miller indicated that it was up to the legislature to decide who would be authorized officers or representatives who would have access to the records. The wording in this case was general due to the fact that it would leave the legislature free to designate those who would have such access, and also because the same offices do not exist in each of the respective States."

Another question involved the use of the word "shall" as it applies to the legislature. Mr. Miller agreed that if such wording is in the compact, there would be no possible way to obligate the legislature to act.

I ask, Mr. Speaker, that this be included in the record.

Mr. MORLEY submitted the following letter for the record:

Subject: Delaware Compact
Senate Bill 350

To: The Honorable Walter H. Morley
House of Representatives
From: Alan J. Sommerville
Chief Water Resources
Development Engineer

As agreed at our meeting in Secretary Goddard's office yesterday, I have contacted Mr. William Miller, Esquire, Princeton, New Jersey, for specific answers to the three questions raised in regard to the proposed Compact. As you will recall, Mr. Miller is the legal counsel to the Delaware River Basin Advisory Committee, and was primarily responsible for the drafting of the proposed Compact. The answers follow:

Section 2.7: This section is in regard to an extension of the agency's powers outside of the basin. The question was whether the use of the phrase "consent of State" would mean that the consent of the Legislature would be required. Mr. Miller indicated that an act of Legislature would be necessary to permit any extension of the agency's powers outside of the basin and that it could not be done otherwise. In essence, therefore, the consent of the State means the consent of the Legislature.

Section 13.3: This section deals with annual current expense and capital budgets. The question on this section was whether it was mandatory that the Legislature must appropriate operating funds to the agency. Mr. Miller indicated that it was not mandatory and that the Legislature could withhold operating costs. The agency would be required to submit its budget in the same manner followed by the State agencies in the various states. In short, the budgets would be subject to the same approval as may be required by the current budgetary processes of the various states. The Legislature in approving or disapproving the request must decide whether the request is warranted. Incidentally, the Legislature of the State of Delaware went into this question in the same detail prior to passage in this state and found the wording satisfactory.

Section 14.11 (b): This section concerns the annual independent audit. The question was whether the duly authorized officers or representatives of the signatory parties entitled to examine, audit, or have access to the records of the Commission included the Legislature. Mr. Miller indicated that it was up to the Legislature to decide who would be the authorized officers or representatives who would have access to the records. The wording in this case was general due to the fact that it would leave the Legislature free to designate those who would have such access, and also because the same offices do not exist in each of the respective states.

I hope that this will answer the question raised to your satisfaction. I was unable to locate the reference stating that the Legislature "shall." Mr. Miller agreed that if such wording is in the Compact, there would be no possible way to obligate Legislature to act.

On the question recurring,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—179

Adams,	Fox,	Lamb,	Reldenbach,
Anderson, J. H.,	Frascella,	Lawson,	Renwick,
Anderson, S. A.,	Fry,	Lee, A. M.,	Riley,
Arlene,	Fulmer,	Lee, K. B.,	Rovansek,
Auker,	Galley,	Leonard,	Rubin,
Bachman,	Gallagher,	Limper,	Rudisill,
Bachenstoe,	Gelfand,	Long, Wm. Jas.,	Rutherford,
Blair,	George,	Long, Wm. Jos.,	Scarcelli,
Boles,	Gibbons,	Lutty,	Schaaf,
Bonner,	Goldstein, J. H.,	Magee,	Seltzer,

Bossert,	Goodrich,	Manbeck,	Shelton,
Bowman,	Gramlich,	Markley,	Sherman,
Branca,	Gray,	Marsh,	Shupnik,
Breth,	Greenlee,	McCandless,	Simmons,
Buchanan,	Gremminger,	McCann,	Snare,
Bush,	Gross,	McCormack,	Stank,
Capano,	Guesman,	McDevitt,	Steckel,
Capitolo,	Hamilton,	McDonald,	Stimmel,
Cianfrani,	Hankins,	McInroy,	Stiteler,
Cioffi,	Hartley,	McKeever,	Stone,
Clarke,	Heavey,	McLaughlin,	Sullivan, J. A.,
Comer,	Heffner,	McNally,	Sullivan, T. F.,
Cooley,	Henzel,	Meholchick,	Taylor,
Crossin,	Hocker,	Merry,	Tomascik,
Curwood,	Holl,	Mills,	Trusio,
Davis,	Holman,	Monroe,	Varner,
Dengler,	Horst,	Morley,	Verona,
Dennison,	Irvic,	Mullen,	Wall,
Donaldson,	Isaacs,	Munley,	Walsh,
Dougherty,	Jim,	Murphy,	Wargo,
Doughten,	Johnson, A. W.,	Musto,	Weidner,
Edwards,	Johnson, R. P.,	Needham,	Welsh,
Ellberg,	Jones,	O'Donnell, J. A.,	Wescott,
Elvey,	Kamyk,	O'Donnell, J. P.,	Whittaker,
Eshback,	Keiser,	Ogilvie,	Willard,
Eshleman,	Kelly,	Parlante,	Willaredt,
Esler,	Kernaghan,	Pashley,	Williams, A. D.,
Ewing,	Kessler,	Perry,	Williams, E. S.,
Farabaugh,	King,	Petrosky,	Wood,
Fetterolf,	Kistler,	Piper,	Worley,
Filo,	Klein,	Polaski,	Wynd,
Fineman,	Kooker,	Polen,	Yetter,
Flynn,	Kornick,	Prendergast,	Zember,
Foerster,	Korns,	Pursley,	Andrews,
Foor,	Kramer,	Reibman,	Speaker

NAYS—7

Ashton,	Helm,	Tompkins,	Zimmerman,
Guthrie,	O'Dell,	Ujobal,	

NOT VOTING—24

Bower,	Holliday,	Mihm,	Sakulsky,
Cauley,	Jenkins,	Miller,	Schuster,
Down,	Knecht,	Murray,	Slack,
Gibb,	Lippincott,	Odorisio,	Strausser,
Goldstein, M. H.,	Maxwell,	Price,	Thompson,
Haudenshield,	May,	Royer,	Wilt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with the information that the House of Representatives has passed the same without amendment.

REASONS FOR VOTE

Mr. ADAMS filed the following reasons for his vote on Senate bill No. 350.

Mr. Speaker, my vote for this bill does not necessarily indicate my approval of the proposed location of dam sites as proposed by the Federal government on the Delaware River Basin Compact, specifically referring the proposed dam construction in the Virginville area, 4th Legislative District of Berks County which it is my privilege to represent. The Pomona Grange of Berks County has gone on record as opposed to the construction of this particular dam.

I have been advised by J. Collons McSpardan, master of the State Grange, that in order for the Commonwealth of Pennsylvania to have a voice in the location of dam sites, it was necessary to ratify the compact. I have voted accordingly in the best interests of the citizens of Berks County.

DEMOCRATIC CAUCUS

Mr. McCANN. Mr. Speaker, this House will convene on Monday at 2:30 p.m., d.s.t.

When we adjourn today, for the information of the Democratic members, notices are going out for a caucus at 1 o'clock on Monday, d.s.t. I ask that all members try to arrange their schedule accordingly so they will be at the caucus and on the floor of the House to start voting on bills as early as possible on Monday, since we will convene at 2:30 p.m., d.s.t.

In addition, this is the last roll call today in this House.

REPUBLICAN CAUCUS

The SPEAKER pro tempore. The Chair recognizes the minority leader.

Mr. A. W. JOHNSON. Mr. Speaker, we will caucus on Monday at 1 o'clock, as customary. The caucus will last until 2:30. At 2 o'clock we hope to have an expert on the Kerr-Mills Act in our caucus to explain the various ramifications, so it is important that our members be in caucus. If they cannot get there at 1:30, be sure and be at the caucus at 2 o'clock. But we will caucus from 1 o'clock until 2:30 on Monday, so we can be on the floor at 2:30.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. SCHAAF asked and obtained unanimous consent to add additional sponsors to resolution to be introduced by him.

REPORT FROM COMMITTEE

Mr. RUTHERFORD from the Committee on Cities—Third Class, reported as committed, Senate bill No. 616, entitled:

An Act amending the act of June 23, 1931 (P. L. 932), entitled "The Third Class City Code," providing for the creation by ordinance of the office of city manager.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 616, entitled:

An Act amending the act of June 23, 1931 (P. L. 932), entitled "The Third Class City Code," providing for the creation by ordinance of the office of city manager.

An said bill having been read at length the first time, Ordered, to be laid aside for second reading.

BILLS INTRODUCED AND REFERRED

By Mr. A. M. LEE.

HOUSE BILL No. 1804.

An Act creating the Student Scholarship Fund; providing for granting of scholarships to residents of Pennsylvania pursuing courses of study within the Commonwealth of Pennsylvania; conferring powers and imposing duties upon the State Council of Education; and making an appropriation.

Referred to the Committee on Education.

Messrs. HOLLIDAY, VARNER, WILLARD and MAGEE.

HOUSE BILL No. 1805.

An Act to apportion the Commonwealth of Pennsylvania into congressional districts.

Referred to the Committee on Congressional Apportionment.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been pre-

pared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 48.

An Act amending the act of April 27, 1927 (P. L. 414), entitled as amended "An act providing for a system of recording the identification of persons convicted of crime and fugitives from justice and habitual criminals * * *" making it unlawful to take the fingerprints or photographs of persons in custody who are charged with a violation of "The Vehicle Code," with certain exceptions.

HOUSE BILL No. 160.

An Act amending the act of March 27, 1945 (P. L. 83), entitled "An act regulating the issuance of execution on judgment confessed on written instruments * * *" providing defenses in any county in which a judgment is transferred.

HOUSE BILL No. 281.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), authorizing second class school districts to make additions and revisions to tax duplicates.

HOUSE BILL No. 442.

An Act amending the act of May 13, 1915 (P. L. 286), entitled "Child Labor Law," permitting certain minors to be employed as caddies.

HOUSE BILL No. 607.

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code," authorizing the production and performance of drama and civic light opera between certain hours on Sundays in cities of the second class.

HOUSE BILL No. 637.

An Act authorizing the Governor to provide for disaster relief under certain circumstances authorizing him to transfer certain funds to a special fund for that purpose and making an appropriation.

HOUSE BILL No. 659.

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), limiting the number of persons who may hunt deer in unison or as a party.

HOUSE BILL No. 680.

An Act amending the act of May 1, 1933 (P. L. 103), entitled "The Second Class Township Code," authorizing disturbing the peace to be defined and penalized and providing for the disposition of such penalties.

HOUSE BILL No. 739.

An Act relating to apprenticeship and training creating a State Apprenticeship and Training Council in the Department of Labor and Industry to formulate an apprenticeship and training policy and program and defining its powers and duties and providing for administration.

HOUSE BILL No. 742.

An Act amending the act of April 3, 1860 (P. L. 630), entitled "An act relative to Proceeding upon Mortgages and Recognizances" excluding counties of the first class from the provisions of the act.

HOUSE BILL No. 743.

An Act amending the act of April 25, 1850 (P. L. 569), entitled "An act relating to the bail of executrixes to partition in the orphans' court and common pleas to colored convicts in Philadelphia to the limitation of actions against

corporations to actions enforcing the payment of ground rents * * *" excluding prothonotaries in counties of the first class from the provisions relating to the recording of certain accounts.

HOUSE BILL No. 828.

An Act amending the act of May 27, 1949 (P. L. 1903), entitled "The Military Code of 1949" changing the measure of relief for disability or death of personnel on active duty.

HOUSE BILL No. 844.

An Act amending the act of July 10, 1957 (P. L. 685), entitled "An act regulating the use of explosives in certain blasting operations requiring examination and licensing of certain explosives detonators and prescribing the fee thereof and conferring powers and imposing duties on the Department of Labor and Industry" increasing certain fees.

HOUSE BILL No. 868.

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code" authorizing the production and performance of basketball ice shows and ice hockey between certain hours on Sundays in cities of the first and second class.

HOUSE BILL No. 1042.

An Act amending the act of May 4, 1927 (P. L. 519), entitled "The Borough Code" expanding the authority of boroughs to make annual appropriations for nursing services.

HOUSE BILL No. 1222.

An Act relating to bituminous coal mines amending, revising, consolidating and changing the laws relating thereto providing for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith * * *.

HOUSE BILL No. 1297.

An Act amending the act of December 20, 1933 (1933-34, P. L. 89), entitled "An act appropriating the moneys in The State Stores Fund" providing for additional kinds of insurance.

HOUSE BILL No. 1308.

An Act amending "The Fish Law of 1959" approved December 15, 1959 (P. L. 1779), requiring the fishing license to be displayed on an outer garment while fishing.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

Mr. McCANN. Mr. Speaker, I call up House bill No. 131 for the purpose of amendment.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 131, entitled:

An Act defining and relating to installment land contracts in cities of the first class and providing for and regulating the rights and obligations between parties to such contracts under certain terms and conditions.

On the question,

Will the House agree to the bill on third reading?

Mr. IRVIS asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Title, page 1, second line of Title, by inserting after "class": "and in counties of the second class"

Amend Sec. 3, page 3, line 4, by inserting after "class": "or in any county of the second class"

Amend Sec. 3, page 3, line 8, by inserting after "class": "or in any county of the second class"

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILLS AND RESOLUTIONS PASSED OVER

Mr. McCANN. Mr. Speaker, I request that all other bills and resolutions not acted upon on today's calendar be passed over.

The SPEAKER pro tempore. The Chair hears no objection.

RECONSIDERATION OF VOTE ON HOUSE BILL NO. 769

Mr. A. W. JOHNSON. Mr. Speaker, I move that the vote by which House bill No. 769, printer's No. 842, entitled:

"An Act making an appropriation to the Department of Military Affairs for the payment of services of the Civil Air Patrol."

was defeated on final passage Wednesday, June 14, 1961, be reconsidered.

Mr. TOMPKINS. Mr. Speaker, I second the motion.

The SPEAKER pro tempore. How did the gentleman from McKean, Mr. Johnson, vote on the final passage of this bill?

Mr. A. W. JOHNSON. Mr. Speaker, I voted with the prevailing side.

The SPEAKER pro tempore. How did the gentleman from Cameron, Mr. Tompkins, vote on the final passage of this bill?

Mr. TOMPKINS. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED

Mr. A. W. JOHNSON. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

RECONSIDERATION OF VOTE ON HOUSE BILL NO. 1708

Mr. A. W. JOHNSON. Mr. Speaker, I move that the vote by which House bill No. 1708, printer's No. 2154, entitled:

"An Act making an appropriation to the Department of Public Welfare for the maintenance of certain homes."

was defeated on final passage Wednesday, June 14, 1961, be reconsidered.

Mr. TOMPKINS. Mr. Speaker, I second the motion.

The SPEAKER pro tempore. How did the gentleman from McKean, Mr. Johnson, vote on the final passage of this bill?

Mr. A. W. JOHNSON. Mr. Speaker, I voted with the prevailing side.

The SPEAKER pro tempore. How did the gentleman from Cameron, Mr. Tompkins, vote on the final passage of this bill?

Mr. TOMPKINS. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED

Mr. A. W. JOHNSON. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

RECONSIDERATION OF VOTE ON HOUSE BILL NO. 1709

Mr. A. W. JOHNSON. Mr. Speaker, I move that the vote by which House bill No. 1709, printer's No. 2155, entitled:

"An Act making an appropriation to the Department of Public Welfare for the maintenance of certain hospitals."

was defeated on final passage Wednesday, June 14, 1961, be reconsidered.

Mr. TOMPKINS. Mr. Speaker, I second the motion.

The SPEAKER pro tempore. How did the gentleman from McKean, Mr. Johnson, vote on the final passage of this bill?

Mr. A. W. JOHNSON. Mr. Speaker, I voted with the prevailing side.

The SPEAKER pro tempore. How did the gentleman from Cameron, Mr. Tompkins, vote on the final passage of this bill?

Mr. TOMPKINS. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED

Mr. A. W. JOHNSON. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

ADJOURNMENT

Mr. TOMASCIK. Mr. Speaker, I move that this House do now adjourn until Monday, June 26, 1961, at 1:30 p. m., e.s.t.

The motion was agreed to, and (at 3:51 p. m., e.s.t.) the House adjourned.

Legislative Journal.

Session 1961.

145th of the General Assembly.

Vol. 38.

HARRISBURG, PA., MONDAY, JUNE 26, 1961.

No. 67.

SENATE

MONDAY, June 26, 1961.

The Senate met at 12:00 noon, Eastern Standard Time.

The PRESIDING OFFICER (Joseph D. Ripp) in the Chair.

PRAYER

The Chaplain, Rabbi THEODORE H. GORDON, Main Line Reform Temple, Beth Elohim, Wynnewood, offered the following prayer:

Lord of the Universe, Thou art the source of life and of light. Moved by Thy Spirit and inspired of Thy will, our fathers established this Commonwealth in freedom, under law. Blessed by Thee, we have flourished through the years in peace and in plenty.

Grant, O God, that Thy Spirit may rest upon us as we take up the mantle of leadership for our generation. Guide us by Thy light that we may approach with consecrated hearts the tasks which are ours; to safeguard the rights and the liberties that are the sacred inheritance of our people, and to preserve the structure of law, under which, alone, the children of men can fulfill their destinies as children of God.

May Thy wisdom guide us and Thy strength sustain us, as we bring heart and mind and hand to our appointed tasks. Amen.

JOURNAL APPROVED

The PRESIDING OFFICER. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WEINER and Mr. LANE, further reading was dispensed with, and the Journal was approved.

COMMUNICATIONS FROM THE GOVERNOR

APPROVAL OF SENATE BILLS

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor, advising that the following Senate Bills had been approved and signed by the Governor:

SB 75, 278, 280, 282, 284, 286 and 553.

NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

MEMBER OF THE BOARD OF TRUSTEES OF NANTICOKE STATE HOSPITAL

June 26, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Frank T. Nork, 570 East Main Street, Nanticoke, Luzerne County, for reappointment as a member of the Board of Trustees of Nanticoke State Hospital, until the third Tuesday of January 1967, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF WARREN STATE HOSPITAL

June 26, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Board of Trustees of Warren State Hospital, until the third Tuesday of January 1963, and until their successors are appointed and qualified:

Fred L. Rhoads, 404 South Second Street, Clearfield, Clearfield County, vice Chester S. Allen, Warren, resigned.

John Orrin Hanna, 239 Pennsylvania Avenue, West, Warren, Warren County, vice Merle H. Deardorff, Warren, whose term expired.

Mark Summerson, Pittsfield, Warren County, vice Andrew L. Clinger, Tidioute, whose term expired.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF SCRANTON STATE HOSPITAL

June 26, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Scranton State Hospital, until the third Tuesday of January 1967, and until their successors are appointed and qualified:

J. Clewell Ottinger, 735 Prescott Avenue, Scranton, Lackawanna County.

James Nocera, 131 Second Street, Old Forge, Lackawanna County.

John M. Stirna, 141 School Street, Scranton, Lackawanna County.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF
CONNELLVILLE STATE HOSPITAL

June 26, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John Donald Porter, 106 Jefferson Street, East Park, Connellsville, Fayette County, for reappointment as a member of the Board of Trustees of Connellsville State Hospital, until the third Tuesday of January 1967, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE JUVENILE COURT JUDGES'
COMMISSION

June 26, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate W. Clarence Sheely, President Judge of the Court of Common Pleas of the Fifty-first Judicial District, Gettysburg, Adams County, for reappointment as a member of the Juvenile Court Judges' Commission, until June 7, 1964, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF
WOODVILLE STATE HOSPITAL

June 26, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Woodville State Hospital:

Mrs. Grace McDivitt, 664 Elm Street, Bridgeville, Allegheny County, until the third Tuesday of January 1963, and until her successor is appointed and qualified.

Stephen R. Fliss, 364 Porter Street, Springdale, Allegheny County, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

Bernard Roth, 1228 South Negley Avenue, Pittsburgh 17, Allegheny County, until the third Tuesday of January 1967, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF THE
COMMONWEALTH MENTAL HEALTH RESEARCH
FOUNDATION

June 26, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Board of Trustees of the Commonwealth Mental Health Research Foundation:

J. Paul Doud, Grange Avenue, Eagleville, Montgomery County, until December 31, 1962, and until his successor shall be duly appointed and qualified, vice J. Howard Pew, Ardmore, resigned.

Mrs. Caryl M. Kline, Bradfordwoods, Allegheny County, until December 31, 1963, and until her successor shall be duly appointed and qualified, vice Philip S. Broughton, Pittsburgh, whose term expired.

DAVID L. LAWRENCE.

MEMBER OF THE SUSQUEHANNA COUNTY BOARD
OF ASSISTANCE

June 26, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate James C. Gold (Democrat), 25 Lincoln Avenue, Montrose, Susquehanna County, for appointment as a member of the Susquehanna County Board of Assistance, until December 31, 1961, and until his successor is duly appointed and qualified, vice Mrs. Anne Bertholf, South Montrose, whose term expired.

DAVID L. LAWRENCE.

HOUSE MESSAGES

HOUSE CONCURS IN SENATE BILLS

The Clerk of the House of Representatives being introduced, returned to the Senate, **SB 297** and **350**, with the information that the House has passed the same without amendments.

HOUSE INSISTS UPON ITS NONCONCURRENCE IN
AMENDMENTS TO **HB 517**, AND APPOINTS
COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists upon its nonconcurrence in Senate amendments to **HB 517** and has appointed Messrs. FINEMAN, GUESMAN and GUTHRI as a Committee of Conference to confer with a similar committee of the Senate (already appointed) to consider the differences existing between the two houses in relation to said bill.

HOUSE CONCURS IN SENATE AMENDMENTS TO
HOUSE BILLS

He also informed the Senate that the House has concurred in amendments made by the Senate to **HB 607**, **637**, **680**, **739**, **828**, **863** and **1042**.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence **HB 107**, **1262** and **1263**, which were referred to the Committee on Labor and Industry.

He also presented for concurrence **HB 161** and **1450**, which were referred to the Committee on Law and Order.

He also presented for concurrence **HB 203**, **216**, **1486**, **1552** and **1619**, which were referred to the Committee on Education.

He also presented for concurrence **HB 231**, **371**, **386**, **1506**, **1519**, **1522**, **1528**, **1566**, **1601** and **1606**, which were referred to the Committee on Local Government.

He also presented for concurrence **HB 283**, which was referred to the Committee on Rules.

He also presented for concurrence **HB 518**, which was referred to the Committee on Highways.

He also presented for concurrence **HB 573**, **1663** and **1664**, which were referred to the Committee on Finance.

He also presented for concurrence **HB 1105**, **1504**, **1515** and **1551**, which were referred to the Committee on Elections.

He also presented for concurrence **HB 1109** and **1509**, which were referred to the Committee on Forests and Waters, Game and Fish.

He also presented for concurrence **HB 1172**, **1533** and

1572, which were referred to the Committee on Public Health and Welfare.

He also presented for concurrence **HB 1216, 1564 and 1579**, which were referred to the Committee on Appropriations.

He also presented for concurrence **HB 1476, 1531 and 1588**, which were referred to the Committee on State Government.

He also presented for concurrence **HB 1510**, which was referred to the Committee on Insurance.

He also presented for concurrence **HB 1530, 1577 and 1578**, which were referred to the Committee on Judiciary General.

BILLS INTRODUCED AND REFERRED

Mr. PROPERT presented to the Chair **SB 800**, entitled:

An Act to provide for one additional law judge of the court of common pleas in the thirty-eighth judicial district, and making an appropriation.

Which was committed to the Committee on Judiciary General.

He also presented to the Chair **SB 801**, entitled:

An Act amending the act of June 16, 1836 (P. L. 715), entitled "Reference and Arbitration Law," increasing the amount in controversy which may be referred to arbitration.

Which was committed to the Committee on Judiciary General.

The PRESIDING OFFICER. The Lieutenant Governor has now entered the Chamber and the gavel will be turned over to him at this time.

The PRESIDENT (Lieutenant Governor John Morgan Davis) in the Chair.

BILLS SIGNED

The President (Lieutenant Governor John Morgan Davis) in the presence of the Senate signed the following bills:

SB 297, 350, HB 6, 48, 141, 160, 263, 281, 423, 442, 591, 607, 637, 650, 659, 680, 739, 742, 743, 817, 823, 828, 844, 868, 966, 974, 995, 1042, 1222, 1297, 1308, 1327, 1390, 1408, 1542 and 1562.

MRS. SARAH R. DAVIS PRESENTED TO SENATE

The PRESIDENT. I have introduced a number of distinguished visitors to our Senate and I would like to introduce one who is distinguished and very beloved to me; namely, my mother, who is here celebrating her birthday today.

Mr. WEINER. Mr. President, on behalf of the Members of the Senate, I would like to wish your mother a very happy birthday and hope she will be with us on many, many more such happy occasions.

The PRESIDENT. Thank you, Senator Weiner.

Mr. BERGER. Mr. President, I could not let this opportunity go by without adding my congratulations and best wishes to Mrs. Davis.

The PRESIDENT. Thank you so much, Senator Berger.

GUESTS OF SENATOR JOHN J. HALUSKA PRESENTED TO SENATE

Mr. HALUSKA. Mr. President, I would like to present to the Chair and to my colleagues my daughter, my four grandchildren, and my two brothers.

The PRESIDENT. The Chair, on behalf of the Members of the Senate, wishes to say that we are very happy to have such a distinguished group from the Haluska family with us today.

FORMER SENATOR ARTHUR C. BLASS PRESENTED TO SENATE

The PRESIDENT. I would like to present to the Senate another distinguished visitor, one who was distinguished when he was here in our Senate and who continues to be distinguished, although we miss him very much in the Senate. I would like to introduce at this time former Senator Arthur C. Blass.

BILLS INTRODUCED AND REFERRED

Messrs. DEVLIN and STASEY presented to the Chair **SB 802**, entitled:

An Act regulating the manufacture and use of oleo-margarine, margarine, butterine and other similar products and providing penalties.

Which was committed to the Committee on Public Health and Welfare.

Mr. DEVLIN, on behalf of Mr. DiSILVESTRO, presented to the Chair **SB 803**, entitled :

An Act relating to medical-legal investigations; creating a Commission on Medical-legal Investigations, an Office of medical-legal Investigations a Chief Medical Examiner and other officers and employees of the office; requiring the investigation of certain human deaths; regulating autopsies and the keeping and use of records and their admissibility as evidence; transferring medical duties from the coroner's office and imposing duties on law enforcement officers, prosecuting attorneys, coroners, physicians, undertakers, embalmers and other persons.

Which was committed to the Committee on Judiciary General.

Messrs. WAGNER, STEVENSON and HALUSKA presented to the Chair **SB 804**, entitled:

An Act amending the act of May 4, 1927 (P. L. 519), entitled "The Borough Code," further regulating the compensation of mayors.

Which was committed to the Committee on Local Government.

UNANIMOUS CONSENT GRANTED FOR IMMEDIATE CONSIDERATION OF THE CALENDAR

Mr. WEINER. Mr. President, I now ask unanimous consent that the Senate take up the order of business of consideration of today's Calendar.

The PRESIDENT. There being no objection, we will proceed with the consideration of today's Calendar.

SENATE RESOLUTION

CONGRATULATIONS OF THE SENATE EXTENDED TO MISS ETHEL LYNN MALONEY UPON BEING CHOSEN MISS PENNSYLVANIA

Mr. PROPERT by unanimous consent, offered the following resolution (Serial No. 74), which was read, considered and adopted:

In the Senate, June 26, 1961.

Miss Ethel Lynn Maloney, a striking, blue-eyed brunette from King of Prussia, who already held the title of Miss Montgomery County, was enthroned Saturday night, June 24, as Miss Pennsylvania of 1961. The twenty year-old beauty will represent Pennsylvania at the Miss America Pageant at Atlantic City in September.

The new Miss Pennsylvania, a 1958 graduate of Upper Merion High School, and now a Ursinus College coed in the junior class, displayed her talents for the judges by doing charcoal sketches and a pantomime dance. For her victory in the State beauty contest at West Chester, Pennsylvania, Miss Maloney was presented a four-year Governor's scholarship to one of three Pennsylvania universities; therefore be it

Resolved, That the Senate of Pennsylvania hereby extends its hearty congratulations to Miss Maloney upon her being selected as Miss Pennsylvania of 1961, and earnestly hope that her beauty and talents will lead her to even greater accomplishments; and be it further

Resolved, That a copy of this resolution be sent to Miss Maloney at her home in King of Prussia, Pennsylvania.

The PRESIDENT. I might say, Senator, that the first lines of this resolution took me back a number of years because I married what I consider a striking, blue-eyed brunette, who also attended Ursinus College and who was born in Montgomery County.

CALENDAR

FINAL PASSAGE CALENDAR

BILLS OVER IN ORDER

HB 197, 227, SB 343 and HB 345—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

SB 493—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILL ON FINAL PASSAGE

SB 568 (Pr. No. 925)—And the amendments made thereto having been printed as required by the Constitution, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarra,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

SB 687—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILL ON FINAL PASSAGE POSTPONED

SB 247 (Pr. No. 258)—Without objection, the bill was called up from the Postponed Calendar by Mr. WEINER.

BILL RECOMMITTED

SB 247 (Pr. No. 258)—Upon motion of Mr. WEINER, seconded by Mr. LANE, and agreed to, the bill was re-committed to the Committee on Historical Preservation.

THIRD READING CALENDAR

BILLS OVER IN ORDER

HB 67 and 95—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

BILLS ON THIRD READING AND FINAL PASSAGE

SB 214 (Pr. No. 222)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarra,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SB 230 (Pr. No. 241)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarra,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,

Flack,
Fleming,
Haluska,
Hawbaker,

McCreesh,
McGinnis,
McMenamin,
Miller,

Seyler,
Shafer,
Silvert,

Weiner,
Wolfe,
Yatron,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

SB 261—Mr. LANE. Mr. President, in reference to Senate Bill No. 261, Printer's No. 948, I would like to inform the Members of the other side, who I understand would like to get out early today, that this legislation is going to entail considerable debate, and possibly it would be best to carry it over today in order that we might expedite the Session. However, I would like to handle this legislation tomorrow, and go into the complete details of the bill.

Therefore, I will request that Senate Bill No. 261, Printer's No. 948, go in its order.

The PRESIDENT. There being no objection, the bill will go over in its order.

SB 322, 344 and 345—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

SB 351, 435 and 496—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

SB 498—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

SB 531—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILL ON THIRD READING AND FINAL PASSAGE

SB 633 (Pr. No. 731)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,
Berger,
Camel,
Chapman,
Confair,
Devlin,
DiSilvestro,
Donolow,
Ehrgood,
Flack,
Fleming,
Haluska,
Hawbaker,

Hays,
Kalman,
Keller,
Kessler,
Kromer,
Lane,
Madigan,
Mahady,
Mallery,
McCreesh,
McGinnis,
McMenamin,
Miller,

Mullin,
Murray,
Pechan,
Propert,
Ripp,
Rooney,
Sarraf,
Scott,
Sesler,
Seyler,
Shafer,
Silvert,

Stalsey,
Stevenson,
Stiefel,
Stroup,
Taylor,
Van Sant,
Wade,
Wagner,
Ware, III,
Weiner,
Wolfe,
Yatron,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

SB 646—Without objection, the bill was passed over in its order at the request of Mr. HAYS.

SB 664—Without objection, the bill was passed over in its order at the request of Mr. HALUSKA.

SB 688 and 690—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

BILLS ON THIRD READING AND FINAL PASSAGE

HB 718 (Pr. No. 2212)—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,
Berger,
Camel,
Chapman,
Confair,
Devlin,
DiSilvestro,
Donolow,
Ehrgood,
Flack,
Fleming,
Haluska,
Hawbaker,

Hays,
Kalman,
Keller,
Kessler,
Kromer,
Lane,
Madigan,
Mahady,
Mallery,
McCreesh,
McGinnis,
McMenamin,
Miller,

Mullin,
Murray,
Pechan,
Propert,
Ripp,
Rooney,
Sarraf,
Scott,
Sesler,
Seyler,
Shafer,
Silvert,

Stalsey,
Stevenson,
Stiefel,
Stroup,
Taylor,
Van Sant,
Wade,
Wagner,
Ware, III,
Weiner,
Wolfe,
Yatron,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

SB 731 (Pr. No. 851)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,
Berger,
Camel,
Chapman,
Confair,
Devlin,
DiSilvestro,
Donolow,
Ehrgood,
Flack,
Fleming,
Haluska,
Hawbaker,

Hays,
Kalman,
Keller,
Kessler,
Kromer,
Lane,
Madigan,
Mahady,
Mallery,
McCreesh,
McGinnis,
McMenamin,
Miller,

Mullin,
Murray,
Pechan,
Propert,
Ripp,
Rooney,
Sarraf,
Scott,
Sesler,
Seyler,
Shafer,
Silvert,

Stalsey,
Stevenson,
Stiefel,
Stroup,
Taylor,
Van Sant,
Wade,
Wagner,
Ware, III,
Weiner,
Wolfe,
Yatron,

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SB 732 (Pr. No. 852)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Probert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SB 733 (Pr. No. 853)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Probert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SB 751 (Pr. No. 954)—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Probert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SB 780 (Pr. No. 936)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Probert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SB 788 (Pr. No. 944)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Probert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

HB 929 (Pr. No. 1745)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Probert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,

Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 973 (Pr. No. 1074)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 979 (Pr. No. 1080)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL RECOMMENDED

HB 985 (Pr. No. 2349)—Upon motion of Mr. WEINER, seconded by Mr. LANE, and agreed to, the bill was recommitted to the Committee on Local Government.

BILL ON THIRD READING AND FINAL PASSAGE

HB 1077 (Pr. No. 2236)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

HB 1139—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

HB 1181—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILLS ON THIRD READING AMENDED

HB 1293 (Pr. No. 1509)—Read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. WEINER, by unanimous consent, offered the following amendment:

Amend Sec. 1 (Sec. 21), page 4, line 14, by striking out "three" and inserting: two

On the question,

Will the Senate agree to the amendment?

It was agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. WEINER.

HB 1367 (Pr. No. 2327)—Read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. WEINER, by unanimous consent, offered the following amendments:

Amend Sec. 1 (Sec. 15), page 2, line 15 by striking out "FIFTY" and inserting: one hundred
Amend Sec. 1 (Sec. 15), page 2, lines 15 and 16 by striking out "TWO HUNDRED" and inserting: three hundred

Amend Sec. 1 (Sec. 15), page 3, line 3 by striking out "ONE HUNDRED" and inserting: three hundred

Amend Sec. 1 (Sec. 15), page 3, line 4 by striking out "FOUR HUNDRED" and inserting five hundred

Amend Sec. 1 (Sec. 15), page 3, line 9 by striking out "SIX HUNDRED" and inserting: one thousand

Amend Sec. 2 (Sec. 15.1), page 4, line 6 by inserting after "occurred": alleged to have occurred

Amend Sec. 2 (Sec. 15.1), page 4, line 8 by inserting after "violated": or alleged to have violated

Amend Sec. 2 (Sec. 15.1), page 4, line 14 by striking out "NO" and inserting: Provided further That no

Amend Sec. 2 (Sec. 15.1), page 4, line 19 by inserting after "one": unless the petition alleges that substantial and severe injury to the persons or property located in, on or in the vicinity of the establishment in or on which the violation occurred or is alleged to have occurred and that the violation is a continuing one

Amend Sec. 2 (Sec. 15.1), page 5, line 8 by inserting after "violated": or alleged to have violated

On the question,

Will the Senate agree to the amendments?

They were agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. WEINER.

HB 1407 (Pr. No. 1697)—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. WEINER, by unanimous consent, offered the following amendments:

Amend Sec. 1 (Sec. 909), page 2, lines 10 and 11, by inserting a bracket before "some" in line 10 and after "on" in line 11, and inserting immediately thereafter: the circulator of

Amend Sec. 1 (Sec. 909), page 2, line 11, inserting brackets before and after "the affiant" and inserting immediately thereafter: he or she

On the question,

Will the Senate agree to the amendments?

They were agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. WEINER.

BILL ON THIRD READING AND FINAL PASSAGE

HB 1545 (Pr. No. 1928)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

RECONSIDERATION OF HB 1082

Mr. WEINER. Mr. President, I move that the Senate do now reconsider the vote by which House Bill No. 1082, Printer's No. 1199, failed of final passage on June 21, 1961.

The PRESIDENT. How did the Senator vote?

Mr. WEINER. Mr. President, I voted with the prevailing side.

Mr. DONOLOW. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. DONOLOW. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. WEINER. Mr. President, I request that House Bill No. 1082, Printer's No. 1199, appear on tomorrow's Final Passage Calendar.

The PRESIDENT. There being no objection, the bill will appear on tomorrow's Final Passage Calendar.

INTERROGATION

Mr. BERGER. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Weiner.

The PRESIDENT. Will the gentleman from Philadelphia, Mr. Weiner, permit himself to be interrogated?

Mr. WEINER. I will, Mr. President.

Mr. BERGER. Mr. President, will the gentleman inform us, now that the bill is getting another run over the target, if the amendments may also get another run?

Mr. WEINER. Mr. President, I would like to advise the gentleman that the amendments had two runs; one in a bill by themselves, which failed to pass the Senate, and they had another bite at the apple when they were inserted in this bill. As a matter of fact, I even aided and abetted in that by getting an opinion from the Attorney General so that they could do it.

If they give the bill itself the same kind of treatment, I think we will be very happy.

Mr. BERGER. Mr. President, I thank the gentleman, and would only say that I could correct him in that the other bills have not failed of passage in the Senate. I think they are still reposing comfortably in committee.

Mr. WEINER. Mr. President, I will be delighted to get for the gentleman the number of the bill; the one that was on the Calendar for sometime and then failed of passage here. As a matter of fact, some of the people even sent out some letters about this, trying to arouse some interest. To date, there appears to be no interest in this measure whatsoever, even with respect to asking me to bring it back. I will be glad to get the number for the gentleman.

I hope he will give the same kind of courteous treatment to this measure.

Mr. BERGER. Mr. President, we will endeavor to give the same treatment to this bill as was given to the others, yes.

SECOND READING CALENDAR

BILLS OVER IN ORDER

SB 23 and **HB 53**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

BILLS ON SECOND READING AMENDED

HB 58 (Pr. No. 2369)—The first section was read.

On the question,

Will the Senate agree to the section?

Mr. HAYS offered the following amendments:

Amend Sec. 1, page 2, line 1 by striking out "Section 1" where it appears the second time and inserting: Sections 1 and 4

Amend Sec. 1, page 2, line 6 by striking out "is" and inserting: are

They were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. HAYS offered the following amendments:

Amend Sec. 2, page 3, line 17 by striking out all of said line.

Amend Bill, page 4, by inserting after line 2: Section 2. This act shall take effect immediately.

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. HAYS offered the following amendment:

Amend Title, page 1, last line of Title, by inserting after "annuitants": and making an appropriation

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

HB 59 (Pr. No. 2370)—The first section was read.

On the question,

Will the Senate agree to the section?

Mr. HAYS offered the following amendments:

Amend Sec. 1, page 2, line 1 by striking out "Section 1" where it appears the second time and inserting: Sections 1 and 4

Amend Sec. 1, page 2, line 6 by striking out "is" and inserting: are

They were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. HAYS offered the following amendments:

Amend Sec. 2, page 3, line 15 by striking out all of said line.

Amend Bill, page 3, by inserting after line 20: Section 2. This act shall take effect immediately.

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. HAYS offered the following amendment:

Amend Title, page 1, last line of Title, by inserting after "annuitants": and making an appropriation

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

SB 129, 131, 225 and **238**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

BILL ON SECOND READING

SB 257 (Pr. No. 268)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL REREFERRED

SB 257 (Pr. No. 268)—Upon motion of Mr. WEINER, seconded by Mr. LANE, and agreed to, the bill just read was rereferred to the Committee on Appropriations.

BILL ON SECOND READING

SB 342 (Pr. No. 861)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

SB 353 and **375**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

BILL POSTPONED

SB 413 (Pr. No. 445)—Upon motion of Mr. WEINER, seconded by Mr. LANE, and agreed to, the bill was placed on the Second Reading Postponed Calendar.

BILLS ON SECOND READING

HB 445 (Pr. No. 484) and **HB 455 (Pr. No. 1360)**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

SB 473—Without objection, the bill was passed over in its order at the request of Mr. BERGER. "

BILLS ON SECOND READING AMENDED

SB 477 (Pr. No. 522)—The first, second, third, fourth, fifth and sixth sections were read and agreed to.

The seventh section was read.

On the question,

Will the Senate agree to the section?

Mr. WAGNER. Mr. President, I desire to offer certain editorial amendments.

The PRESIDENT. The Clerk will read the amendments.
The amendments were read by the Clerk as follows:

Amend Sec. 7 (Sec. 615), page 8, line 20 by striking out "Installment" where it appears the first time.

Amend Sec. 7 (Sec. 615), page 9, line 6 by inserting after "shares" where it appears the second time; or optional payment shares or a combination thereof

Amend Sec. 7 (Sec. 615), page 10, line 9 by striking out "fully paid" and inserting: full-paid

Amend Sec. 7 (Sec. 615), page 10, line 9 by inserting after "shares": or optional payment shares or a combination thereof

They were agreed to.

The section was agreed to as amended.

The eighth section was read and agreed to.

The ninth section was read.

On the question,

Will the Senate agree to the section?

Mr. WAGNER offered the following amendments:

Amend Sec. 9 (Sec. 620), page 12, line 14 by inserting after "debts": a reserve for losses on uninsured improvement loans as hereinafter provided

Amend Sec. 9 (Sec. 620), page 14, line 8 by striking out "unsecured" and inserting: such

Amend Sec. 9 (Sec. 620), page 14, line 12 by inserting after "the" where it appears the second time; other

They were agreed to.

The section was agreed to as amended.

The tenth and eleventh sections were read and agreed to.

The twelfth section was read.

On the question,

Will the Senate agree to the section?

Mr. WAGNER offered the following amendments:

Amend Sec. 12, (Sec. 811), page 18, line 10 by striking out "unsecured".

Amend Sec. 12 (Sec. 811), page 18, line 13 by inserting after "act": and which conforms to section 914 hereof and such rules and regulations relating thereto as may be prescribed by the Secretary of Banking and the Building and Loan Board

They were agreed to.

The section was agreed to as amended.

The thirteenth, fourteenth, fifteenth, sixteenth, and seventeenth sections were read and agreed to.

The eighteenth section was read.

On the question,

Will the Senate agree to the section?

Mr. WAGNER offered the following amendments:

Amend Sec. 18 (Sec. 914), page 30, line 17 by striking out the bracket after "the" and inserting immediately thereafter: aggregate amount of all such loans held by an association at any one time shall not exceed fifteen per centum of its total assets]

Amend Sec. 18 (Sec. 914), page 31, line 2 by striking out "unencumbered."

Amend Sec. 18 (Sec. 914), page 31, line 6 by striking out "five" and inserting: three

Amend Sec. 18 (Sec. 914), page 31, line 16 by striking out the brackets before and after "total."

They were agreed to.

The section was agreed to as amended.

The nineteenth section and title were read and agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. WAGNER.

HB 519 (Pr. No. 2005)—The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WEINER offered the following amendment:

Amend Sec. 1 (Sec. 624.1), page 2, line 8, by inserting after "that": he gives specific consent thereto and

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. WEINER.

BILLS OVER IN ORDER

SB 536, 576 and 598—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

BILL ON SECOND READING

SB 610 (Pr. No. 698)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

SB 611 and 613—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

BILLS ON SECOND READING

SB 614 (Pr. No. 702) and SB 615 (Pr. No. 703)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

SB 620—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILL REREFERRED

SB 622 (Pr. No. 710)—Upon motion of Mr. WEINER, seconded by Mr. LANE, and agreed to, the bill rereferred to the Committee on Appropriations.

BILL OVER IN ORDER

SB 644—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILL ON SECOND READING

HB 644 (Pr. No. 700)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL REREFERRED

HB 644 (Pr. No. 700)—Upon motion of Mr. WEINER, seconded by Mr. LANE, and agreed to, the bill just read was rereferred to the Committee on Appropriations.

BILLS OVER IN ORDER

SB 672, 692 and 715—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

BILL ON SECOND READING

SB 716 (Pr. No. 964)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

HB 722 and **SB 741**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

BILL ON SECOND READING AMENDED

SB 746 (Pr. No. 952)—The first, second, third, and fourth sections were read and agreed to.

The fifth section was read.

On the question,

Will the Senate agree to the section?

Mr. KESSLER offered the following amendments:

Amend Sec. 5, page 6, line 5, by striking out "county by county."

Amend Sec. 5, page 6, line 8, by striking out "two hundred dollars (\$200)" and inserting: one hundred fifty dollars (\$150)

Amend Sec. 5, page 6, line 9, by striking out "twenty-five dollars (\$25)" and inserting: twelve dollars and fifty cents (\$12.50)

They were agreed to.

The section was agreed to as amended.

The sixth, seventh, eighth, ninth, tenth and eleventh sections and title were read and agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. KESSLER.

BILLS OVER IN ORDER

SB 747, **HB 754** and **755**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

BILL ON SECOND READING

SB 760 (Pr. No. 906)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

SB 768—Without objection, the bill was passed over in its order at the request of Mr. HALUSKA.

BILLS ON SECOND READING

SB 789 (Pr. No. 965) and **SB 790 (Pr. No. 946)**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

HB 837 and **853**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

HB 880—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILL REREFERRED

HB 945 (Pr. No. 1046)—Upon motion of Mr. WEINER, seconded by Mr. LANE, and agreed to, the bill was referred to the Committee on Appropriations.

BILLS OVER IN ORDER

HB 1025, **1075**, **1085**, **1098**, **1099** and **1101**—Without ob-

jection, the bills were passed over in their order at the request of Mr. BERGER.

HB 1150—Without objection, the bill was passed over in its order at the request of Mr. LANE.

HB 1174—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

HB 1178 and **1212**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

BILL ON SECOND READING

HB 1213 (Pr. No. 1386)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

HB 1241—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILL ON SECOND READING

HB 1344 (Pr. No. 2217)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

HB 1346, **1347**, **1350**, **1353** and **1402**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

HB 1414 and **1447**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

BILLS ON SECOND READING

HB 1460 (Pr. No. 1924) and **HB 1468 (Pr. No. 1801)**—Read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

REGULAR ORDER OF BUSINESS RESUMED

The PRESIDENT. Having completed consideration of the Calendar, we will now revert to the regular order of business.

BILLS INTRODUCED AND REFERRED

Messrs. LANE, MALLERY, WEINER and McMENAMIN presented to the Chair **SB 805**, entitled:

An Act amending the act of May 20, 1937 (P. L. 728), entitled "An act providing for the creation of a Board of Arbitration of Claims arising from contracts with the Commonwealth; . . ." changing the compensation of members, providing for the appointment of an executive secretary and other employees, changing the limitations on the filing of claims, increasing the powers of the board, providing for appeals, and making an appropriation.

Which was committed to the Committee on Judiciary General.

Messrs. LANE, FLACK, WAGNER and DONOLOW presented to the Chair **SB 806**, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing for the establishment and operation of area technical schools, departments or classes by the Department of Public Instruction in certain cases; providing for tuition charges; and authorizing the withholding of certain appropriations.

Which was committed to the Committee on Education.

Messrs. SHAFER, WAGNER and STROUP presented to the Chair **SB 807**, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," changing minimum salaries for professional employees and the number and amount of increments and fixing the minimum number of days schools shall be open and teachers shall be employed.

Which was committed to the Select Committee on Education.

They also presented to the Chair **SB 808**, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," changing certain definitions, providing additional definitions, changing basis for reimbursement by the Commonwealth on certain accounts, consolidating certain provisions, further providing for reimbursement by the Commonwealth to school districts and vocational school districts, providing payments for specialized services, and harmonizing language of existing law.

Which was committed to the Select Committee on Education.

Messrs. BELL and VAN SANT presented to the Chair **SB 809**, entitled:

An Act amending the act of January 14, 1952 (P. L. 1965), entitled as amended, "Fuel Use Tax Act," increasing the tax rate of fuels used in turbine propeller turbo-jet or jet driven aircraft and aircraft engines.

Which was committed to the Committee on Finance.

They also presented to the Chair **SB 810**, entitled:

An Act amending the act of May 21, 1931 (P. L. 149), entitled, as amended, "The Liquid Fuels Tax Act," increasing the tax rate of fuels used in turbine propeller jet, turbo-jet or jet driven aircraft and aircraft engines.

Which was committed to the Committee on Finance.

Messrs. MURRAY, MALLERY, McMENAMIN, McCREESH and DONOLOW presented to the Chair **SB 811**, entitled:

An Act amending the act of April 12, 1951 (P. L. 90), entitled "Liquor Code," removing the prohibition against Sunday sales of liquor or malt or brewed beverages by railroad or pullman company public service licensees.

Which was committed to the Committee on Law and Order.

Messrs. MURRAY and McGINNIS presented to the Chair **SB 812**, entitled:

An Act establishing a State university for the study of medicine to be located in Luzerne County, Pennsylvania and to be known as the Pennsylvania State Medical School; providing for its management by a board of trustees; authorizing the Department of Property and Supplies to acquire land and erect necessary buildings thereon and making an appropriation.

Which was committed to the Committee on Education.

Mr. SEYLER presented to the Chair **SB 813**, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing for expenditures to build and operate educational television stations and to link such stations by network facilities.

Which was committed to the Committee on Education.

He also presented to the Chair **SB 814**, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing for educational broadcasting, authorizing agreements relating thereto and limiting the amounts to be expended for such purposes.

Which was committed to the Committee on Education.

He also presented to the Chair **SB 815**, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," further regulating the establishment and operation of audio-visual libraries and instructional materials centers and providing payments therefor.

Which was committed to the Committee on Education.

PERMISSION TO ADDRESS SENATE

Mr. STIEFEL asked and obtained unanimous consent to address the Senate.

Mr. STIEFEL, Mr. President, beginning with next week, I intend to deliver a series of addresses depicting the shortages of Pennsylvania, in so far as they pertain to the celebration of the Centennial of the Civil War.

I was amused and amazed to read that the State of Alabama just appropriated \$200,000 to apparently celebrate their defeat, not victory. Yet, here in Pennsylvania, we are not doing anything.

This bill, Mr. President, is a much-needed bill. It provides for the preservation of the battle flags of Pennsylvania.

BILLS INTRODUCED AND REFERRED

Mr. STIEFEL presented to the Chair **SB 816**, entitled:

An Act making an appropriation to the Historical and Museum Commission for the preservation of Civil War battle flags.

Which was committed to the Committee on Historical Preservation.

Messrs. STROUP and SHAFER presented to the Chair **SB 817**, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," further providing for the establishment of standards and regulations for the merger of school districts and the reorganization of school districts and administrative units by the State Council of Education.

Which was committed to the Select Committee on Education.

They also presented to the Chair **SB 818**, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," further classifying school districts.

Which was committed to the Select Committee on Education.

They also presented to the Chair **SB 819**, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," prescribing powers and duties of the Department of Public Instruction and the State Council of Education concerning and establishing procedures for the reorganization of county superintendencies.

Which was committed to the Select Committee on Education.

They also presented to the Chair **SB 820**, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing for the reorganization of county superintendencies, intermediate boards of school directors and intermediate superintendents, prescribing powers and duties of the Department of Public Instruction and the State Council of Education with respect thereto, and establishing transition procedure.

Which was committed to the Select Committee on Education.

Messrs. BERGER, STEVENSON and SILVERT presented to the Chair **SB 821**, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code," prohibiting the spraying of certain poisons along highways and providing penalties.

Which was committed to the Committee on Judiciary General.

REPORT FROM COMMITTEE

Mr. STAISEY, by unanimous consent, from the Committee on Public Health and Welfare, reported, as committed, **HB 1496**.

SENATE RESOLUTION

COMMENDING DANIEL H. GATTONE FOR HIS DEVELOPMENT OF A PORTABLE, LOW-PRESSURE OXYGEN INHALANT CONTAINER

Mr. DEVLIN, on behalf of Mr. DiSILVESTRO, offered the following resolution (**Serial No. 75**), which was read, considered and adopted:

In the Senate, June 26, 1961.

On February 3rd, 1960, the Public Service Award of the National Broadcasting Company was presented to Daniel H. Gattone, a native of Philadelphia, for his development of a portable low-pressure, oxygen inhalant container which is used to save the lives of victims of heart disease and asthma in cases of sudden attacks.

In presenting the Award, given for the first time by the network for the development of a product, Raymond Welcott, Vice-President of NBC, commented that the container created by Mr. Gattone "makes a great contribution to the millions of victims of heart disease throughout the world."

Mr. Gattone, who now resides in Drexel Park, was born in South Philadelphia. Following his graduation from the Wharton School of the University of Pennsylvania in 1933, he served as a salesman for pharmaceutical firms for the next 25 years. Early in 1958, he resigned his position as a divisional manager for the firm with which he was then associated in order to devote all of his time to the marketing of his product, upon which he had spent years of research.

Since that time, there have been many public reports of instances in which victims were saved by the use of Mr. Gattone's container, which are indicative of the widespread benefit it has brought in times of emergency to countless sufferers from heart and respiratory diseases; therefore be it

RESOLVED, The Senate of the Commonwealth of Pennsylvania hereby commends Daniel H. Gattone, a native Philadelphia, for his development of a portable, low-pressure, oxygen inhalant container that is being used to save the lives of countless sufferers from heart and respiratory diseases in times of emergency; and be it further

RESOLVED, That a copy of this Resolution be presented to Mr. Gattone as evidence of the sentiments of this legislative body.

The PRESIDENT. At this time, the Chair turns the gavel over to the gentleman from Allegheny, Senator Ripp.

The PRESIDING OFFICER (Joseph D. Ripp) in the Chair.

BILL ON FIRST READING

Mr. LANE. Mr. President, I move that the Senate do now proceed to the first reading of the bill reported from committee for the first time at today's session.

Mr. MCGINNIS. Mr. President, I second the motion. The motion was agreed to.

The bill was as follows: **HB 1496**.

And said bill having been read at length for the first time,

Ordered, To be laid aside for second reading.

BILL INTRODUCED AND REFERRED

Messrs. ROONEY and VAN SANT, by unanimous consent, presented to the Chair **SB 822**, entitled:

An Act amending the act of June 1, 1959 (P. L. 392), entitled "State Employees' Retirement Code of 1959," providing credit for service in the armed forces of the United States of America, service with the United States Government and with any county, city, borough, town or township in this Commonwealth.

Which was committed to the Committee on State Government.

ANNOUNCEMENTS BY THE SECRETARY

The following announcements were read by the Secretary of the Senate:

COMMITTEE MEETINGS—TUESDAY, JUNE 27, 1961

Eastern Daylight		
Saving Time	Committee	Room
9:00 A.M.	CORPORATIONS	301
9:30 A.M.	ELECTIONS	301
10:15 A.M.	STATE GOVERNMENT	535
11:00 A.M.	LOCAL GOVERNMENT	301
11:15 A.M.	LABOR AND INDUSTRY	535
11:30 A.M.	INSURANCE	542
12:00 Noon	JUDICIARY GENERAL	535
DEMOCRATIC CAUCUS		12:45 P.M., D.S.T.
REPUBLICAN CAUCUS		1:00 P.M., D.S.T.

NOTICE

The Committee on Local Government will hold a Public Hearing on Thursday, July 6, 1961, at 2:00 p.m., Daylight Saving Time, in the Democratic Caucus Room on House Bills 1221 and 1438.

ADJOURNMENT

Mr. WEINER. Mr. President, I move that the Senate do now adjourn until Tuesday, June 27, 1961, at 2:00 p.m., Eastern Standard Time.

Mr. LANE. Mr. President, I second the motion. The motion was agreed to.

The Senate adjourned at 3:12 p.m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

MONDAY, June 26, 1961

The House met at 1:30 p. m., e. s. t.

The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

Almighty and Eternal God and Father of us all, it is with deepest humility and a never-dying love that we come into Thy presence this afternoon hour. We are conscious of the ever press of obligations and responsibilities which crowd so heavily upon us; so, we ask that Thy stabilizing influence may become the tranquil power for our time. We know that we stand at the crossroads of a new frontier; and we pray that Thou wilt grant to each of us the ability to make the needed decisions for this hour. And we are aware that if great things are to be accomplished Thou wilt have to guide and direct our pathway; so, we desire the indwelling of Thy Spirit in order that we may live and work for Thee: through Jesus Christ, our Lord. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Thursday, June 22, 1961, will be postponed until printed.

The Chair hears none.

RESOLUTION INTRODUCED AND REFERRED

By Messrs. McLAUGHLIN, KRAMER, LAMB, JENKINS, CLARKE, LEONARD, KAMYK, WALSH, EILBERG, FRASCELLA, HEAVEY, LIMPER, GALLAGHER, KELLY, DOUGHTEN, GREENLEE, GAILEY, POLEN, SCHAAF, POLASKI, GUESMAN, T. F. SULLIVAN, MURRAY, HAMILTON, KLEIN, STONE, CIOFFI, CAPANO, FLYNN, MURPHY, IRVIS, Mrs. F. R. JONES and Messrs. ARLENE, FILO, BOIES, SCHUSTER, J. A. SULLIVAN, TAYLOR, DOWN, MERRY, McCANN, BLAIR, O'DELL, DONALDSON, ANDREWS and PETROSKY.

RESOLUTION No. 86.

In the House of Representatives, June 22, 1961.

The Joint State Government Commission is hereby directed to make a study of the Milk Control Law, namely the act of April 28, 1937 (P. L. 417), as amended, to determine the present need for such legislation and the advantages and disadvantages and its effect on the economy of our Commonwealth.

The Joint State Government Commission shall file its report with the House of Representatives by January 15, 1962.

Referred to the Committee on Rules.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1462, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), prohibiting the operation of motor vehicles at slow speeds upon State highways and highways

under the supervision and control of turnpike commissions and providing penalties.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1617, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), providing for the issuance of temporary registration plates or markers for vehicles which are not to be registered in Pennsylvania and removing the requirement that application for annual registration plates must be made for such vehicles.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1631, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), authorizing third class cities to erect traffic signs on State highways without approval of the Secretary of Highways.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

BILLS ON SECOND READING

BILL PASSED OVER

There being no objection,

House bill No. 226, printer's No. 234, was passed over at the request of Mr. McCANN.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 621, entitled:

An Act requiring a guard to be posted when a manhole is entered or when tests are being performed at a manhole and providing penalties.

And said bill having been read at length the second time and agreed to, Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 971, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), limiting the prohibition against and penalty for speed contests and drag races and reducing penalties.

And said bill having been read at length the second time and agreed to, Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1418, entitled:

An Act prohibiting discrimination against insurers in certain cases authorizing relief in equity and prescribing penalties.

And said bill having been read at length the second time and agreed to, Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1419, entitled:

An Act amending "The Insurance Department Act of one thousand nine hundred and twenty-one" approved May 17, 1921 (P. L. 789), prescribing additional causes for revocation of licenses.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1595, entitled:

An Act amending the "Public Assistance Law" approved June 24, 1937 (P. L. 2051), further defining assistance to include certain dependent children and medical care for the aged and those persons eligible therefor and prescribing procedures, requirements and penalties incidental thereto.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1597, entitled:

An Act amending "The Insurance Company Law of 1921" approved May 17, 1921 (P. L. 682), clarifying the provisions relating to the merger or consolidation of certain domestic insurance companies and making editorial changes.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1622, entitled:

An Act amending "The Pennsylvania Workmen's Compensation Act" approved June 2, 1915 (P. L. 736), changing provisions relating to liability of employers and benefits and persons entitled thereto; regulating practice and procedure; changing subrogation rights; providing for attendance of witnesses; requiring payments into the Second Injury Reserve and Rehabilitation Fund.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1667, entitled:

An Act amending "The First Class City Permanent Registration Act" approved March 30, 1937 (P. L. 115), requiring the cancellation of registration of persons reported dead.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 45, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," changing the number of copies of the State Manual to which members and officers of the General Assembly shall be entitled.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 455, entitled:

An Act amending the act of May 5, 1933 (P. L. 457), entitled "Building and Loan Code," changing provisions governing the change of the place of business of a branch and changing provisions for the period of public notice for the discontinuance of a branch.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 570, entitled:

An Act changing the name of the Municipal Court of Philadelphia to the County Court of Philadelphia.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 616, entitled:

An Act amending the act of June 23, 1931 (P. L. 932), entitled "The Third Class City Code" providing for the creation by ordinances of the office of city manager.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 663, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code" prohibiting debt pooling, business voiding contracts for debt pooling, and providing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 674, entitled:

An Act amending the act of June 23, 1931 (P. L. 932),

entitled "The Third Class City Code" permitting cities to make appropriations to industrial development agencies.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 691, entitled:

An Act amending the act of July 17, 1935 (P. L. 1092), entitled "Fraternal Benefit Societies Act" further extending the benefits that may be provided by a fraternal benefit society.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Mr. HELM IN THE CHAIR

The SPEAKER pro tempore. The Chair desires to announce that the reason for the Speaker vacating the Chair at this point is that the doctor has diagnosed him as having chronic bronchitis, and therefore he should not strain his voice.

The Speaker has asked the present occupant of the Chair to preside until the public address system is repaired.

JOURNAL APPROVED

The SPEAKER pro tempore. Are there any corrections to the Journal of Wednesday, May 24, 1961? If not, and without objection, the Journal is approved.

LEAVES OF ABSENCE

By unanimous consent leaves of absence were granted as follows:

Mr. Dougherty for Mrs. MUNLEY for today.

Mr. Tompkins for Mr. WHITTAKER for today.

Mr. Tompkins for Mr. HOLMAN for today.

Mr. Tompkins for Mr. ODORISIO for today.

The SPEAKER pro tempore. The Chair would request that the membership cooperate with the Chair and be as orderly as possible, since we do not have a public address system.

Mr. McCANN. Mr. Speaker, on page 5, bills on final passage, the first bill for today's first roll call is House bill 131, printer's No. 2388.

Mr. Speaker, will the Chair ask the membership, when we start the first roll call, to stay in their seats. Until the public address system is fixed, we will pass over debatable bills.

The SPEAKER pro tempore. The Chair would request that the members remain in their seats.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 131, entitled:

An Act defining and relating to installment land contracts in cities of the first class and providing for and regulating the rights and obligations between parties to such contracts under certain terms and conditions.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—80

Anderson, S. A.,	Gibbons,	Lutty,	Renwick,
Arlene.	Greenlee,	Maxwell,	Riley,
Bachman,	Gremminger,	McCann,	Rovansek,
Boles,	Guesman,	McDevitt,	Rubin,
Bonner,	Hamilton,	McDonald,	Rudisill,
Bossert,	Hankins,	McLaughlin,	Scarcelli,
Bush,	Hartley,	McNally,	Schaaf,
Capano,	Heavey,	Monroe,	Schuster,
Cianfrani,	Jenkins,	Morley,	Shelton,
Cioffi,	Jim,	Musto,	Sherman,
Cooley,	Jones,	Needham,	Shupnik,
Crossin,	Kamyk,	O'Donnell, J. A.,	Stone,
Curwood,	Kornick,	Parlante,	Sullivan, T. F.,
Doughten,	Kramer,	Fashley,	Verona,
Farabaugh,	Lamb,	Perry,	Walsh,
Filo,	Lawson,	Polaski,	Wargo,
Flynn,	Leonard,	Polen,	Welsh,
Frascella,	Limper,	Prendergast,	Worley,
Galley,	Long, Wm. Jas.,	Reibman,	Yetter,
Gallagher,	Long, Wm. Jos.,	Reidenbach,	Andrews,

Speaker

NAYS—91

Anderson, J. H.,	Fineman,	Kernaghan,	Rutherford,
Ashton,	Foor,	Kessler,	Simmons,
Backenstoe,	Fox,	King,	Slack,
Blair,	Fry,	Kistler,	Snare,
Bower,	Fulmer,	Knecht,	Steckel,
Bowman,	George,	Kooker,	Stimmel,
Buchanan,	Gibb,	Korns,	Stiteler,
Clarke,	Goldstein, J. H.,	Lee, A. M.,	Strausser,
Comer,	Goodrich,	Lee, K. B.,	Tompson,
Davis,	Gramlich,	Lippincott,	Tompkins,
Dengler,	Gross,	Magee,	Ujobal,
Dennison,	Guthrie,	Manbeck,	Varnier,
Donaldson,	Haudenschild,	Markley,	Wall,
Dougherty,	Heffner,	Marsh,	Weidner,
Down,	Helm,	May,	Wescott,
Edwards,	Henzel,	McCandless,	Willard,
Eilberg,	Hocker,	Merry,	Willard,
Elvey,	Horst,	Miller,	Williams, E. S.,
Eshback,	Irvis,	Murray,	Wood,
Eshleman,	Isaacs,	O'Dell,	Wynd,
Esler,	Johnson, A. W.,	Ogilvie,	Zember,
Ewing,	Johnson, R. P.,	Pursley,	Zimmerman,
Fetterolf,	Kelser,	Royer,	

NOT VOTING—39

Adams,	Holl,	Mills,	Seltzer,
Auker,	Holliday,	Mullen,	Stank,
Branca,	Holman,	Munley,	Sullivan, J. A.,
Breth,	Kelly,	Murphy,	Taylor,
Capitolo,	Klein,	O'Donnell, J. P.,	Tomasick,
Cauley,	McCormack,	Odorisio,	Trusio,
Foerster,	McInroy,	Petrosky,	Whittaker,
Gelfand,	McKeever,	Piper,	Williams, A. D.,
Goldstein, M. H.,	Meholchick,	Price,	Wilt,
Gray,	Mihm,	Sakulsky,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1546, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), providing an alternative method for establishing area technical schools.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—169

Anderson, J. H.,	Frascella,	Korns,	Reidenbach,
Anderson, S. A.,	Fry,	Kramer,	Riley,
Arlene,	Galley,	Lamb,	Rovanse,
Ashton,	Gallagher,	Lawson,	Rubin,
Bachman,	George,	Lee, A. M.,	Rudisill,
Backenstoe,	Gibb,	Lee, K. B.,	Rutherford,
Blair,	Gibbons,	Leonard,	Scarcelli,
Boles,	Goldstein, J. H.,	Limper,	Schaaf,
Bonner,	Goodrich,	Lippincott,	Schuster,
Bossert,	Gramlich,	Long, Wm. Jas.,	Sheiton,
Bower,	Gray,	Long, Wm. Jos.,	Sherman,
Bowman,	Greenlee,	Lutty,	Shupnik,
Breth,	Gremminger,	Magee,	Simmons,
Buchanan,	Gross,	Manbeck,	Slack,
Bush,	Guesman,	Markley,	Snare,
Capano,	Guthrie,	Marsh,	Steckel,
Cianfrani,	Hamilton,	Maxwell,	Stimmel,
Cioffi,	Hankins,	May,	Stiteler,
Clarke,	Hartley,	McCandless,	Stone,
Comer,	Haudenshield,	McCann,	Sullivan, T. F.,
Cooley,	Heavey,	McDevitt,	Taylor,
Crossin,	Heffner,	McDonald,	Thompson,
Davis,	Helm,	McLaughlin,	Tompkins,
Dengler,	Henzel,	McNally,	Ujbal,
Dennison,	Hocker,	Merry,	Varner,
Donaldson,	Horst,	Miller,	Verona,
Dougherty,	Irviss,	Monroe,	Wall,
Doughten,	Isaacs,	Morley,	Walsh,
Down,	Jenkins,	Murray,	Wargo,
Edwards,	Jim,	Musto,	Weldner,
Ellberg,	Johnson, A. W.,	Needham,	Welsh,
Elvey,	Johnson, R. P.,	O'Dell,	Wescott,
Eshback,	Jones,	O'Donnell, J. A.,	Willard,
Eshleman,	Kamyk,	Ogilvie,	Willaredt,
Esler,	Kelser,	Parlante,	Williams, E. S.,
Ewing,	Kernaghan,	Pashley,	Wood,
Farabaugh,	Kessler,	Perry,	Worley,
Fetterolf,	King,	Polaski,	Wynd,
Filo,	Kistler,	Polen,	Yetter,
Fineman,	Knecht,	Prendergast,	Zember,
Flynn,	Kooker,	Pursley,	Zimmerman,
Foor,	Kornick,	Reibman,	Andrews,
Fox,			Speaker

NAYS—0

NOT VOTING—41

Adams,	Holliday,	Mullen,	Sakulsky,
Auker,	Holman,	Munley,	Seltzer,
Branca,	Kelly,	Murphy,	Stank,
Capitolo,	Klein,	O'Donnell, J. P.,	Strausser,
Cauley,	McCormack,	Odoristo,	Sullivan, J. A.,
Curwood,	McInroy,	Petrosky,	Tomasick,
Foerster,	McKeever,	Piper,	Trusio,
Fulmer,	Meholchick,	Price,	Whittaker,
Gelfand,	Mihm,	Renwick,	Williams, A. D.,
Goldstein, M. H.,	Mills,	Royer,	Wilt,
Holl,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1644, entitled:

An Act authorizing any person diving in any waterway with the aid of a mechanical device to place a buoy at or near the place of submergence.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—146

Anderson, J. H.,	Galley,	Lawson,	Reidenbach,
Anderson, S. A.,	Gallagher,	Lee, A. M.,	Riley,
Arlene,	George,	Lee, K. B.,	Rovanse,
Bachman,	Gibbons,	Leonard,	Rubin,

Blair,	Goldstein, J. H.,	Limper,	Rudisill,
Boles,	Goodrich,	Long, Wm. Jas.,	Rutherford,
Bonner,	Gramlich,	Long, Wm. Jos.,	Scarcelli,
Bossert,	Gray,	Lutty,	Schaaf,
Bower,	Greenlee,	Magee,	Schuster,
Breth,	Gremminger,	Markley,	Shelton,
Buchanan,	Gross,	Marsh,	Sherman,
Bush,	Guesman,	Maxwell,	Shupnik,
Capano,	Guthrie,	May,	Simmons,
Cianfrani,	Hamilton,	McCandless,	Slack,
Cioffi,	Hankins,	McCann,	Snare,
Clarke,	Hartley,	McDevitt,	Steckel,
Comer,	Haudenshield,	McDonald,	Stone,
Cooley,	Heavey,	McLaughlin,	Sullivan, T. F.,
Crossin,	Helm,	McNally,	Taylor,
Curwood,	Henzel,	Merry,	Thompson,
Dengler,	Hocker,	Miller,	Tompkins,
Dougherty,	Irviss,	Monroe,	Ujbal,
Doughten,	Jenkins,	Murray,	Verona,
Down,	Jim,	Musto,	Wall,
Edwards,	Johnson, A. W.,	Needham,	Walsh,
Ellberg,	Johnson, R. P.,	O'Dell,	Wargo,
Elvey,	Jones,	O'Donnell, J. A.,	Welsh,
Eshback,	Kamyk,	Ogilvie,	Wescott,
Eshleman,	Kelser,	Parlante,	Willaredt,
Esler,	Kernaghan,	Pashley,	Willard,
Ewing,	Kessler,	Perry,	Williams, E. S.,
Farabaugh,	King,	Polaski,	Worley,
Fetterolf,	Knecht,	Polen,	Wynd,
Filo,	Kooker,	Prendergast,	Yetter,
Fineman,	Kornick,	Pursley,	Zimmerman,
Flynn,	Korns,	Reibman,	Andrews,
Foor,	Frascella,		Speaker
Fox,	Fry,		

NAYS—23

Ashton,	Eshleman,	Horst,	Stimmel,
Backenstoe,	Esler,	Isaacs,	Stiteler,
Bowman,	Ewing,	Kernaghan,	Weldner,
Davis,	Fulmer,	Lippincott,	Wood,
Dennison,	Gibb,	Manbeck,	Zember,
Donaldson,	Heffner,	Morley,	

NOT VOTING—41

Adams,	Kelly,	Munley,	Seltzer,
Auker,	Kistler,	Murphy,	Stank,
Branca,	Klein,	O'Donnell, J. P.,	Strausser,
Capitolo,	McCormack,	Odoristo,	Sullivan, J. A.,
Cauley,	McInroy,	Petrosky,	Tomasick,
Foerster,	McKeever,	Piper,	Trusio,
Gelfand,	Meholchick,	Price,	Varner,
Goldstein, M. H.,	Mihm,	Renwick,	Whittaker,
Holl,	Mills,	Royer,	Williams, A. D.,
Holliday,	Mullen,	Sakulsky,	Wilt,
Holman,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate bill No. 65, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code" making the sale of regrooved tires without notice thereof a crime.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—172

Anderson, J. H.,	Fry,	Kramer,	Renwick,
Anderson, S. A.,	Fulmer,	Lamb,	Riley,
Arlene,	Galley,	Lawson,	Rovanse,
Bachman,	Gallagher,	Lee, A. M.,	Rubin,
Backenstoe,	George,	Lee, K. B.,	Rudisill,
Blair,	Gibb,	Leonard,	Rutherford,
Boles,	Gibbons,	Limper,	Scarcelli,
Bonner,	Goldstein, J. H.,	Lippincott,	Schaaf,

Bossert,	Goodrich,	Long, Wm. Jas.,	Schuster,
Bower,	Gramlich,	Long, Wm. Jos.,	Shelton,
Bowman,	Gray,	Lutty,	Sherman,
Breth,	Greenlee,	Magee,	Shupnik,
Buchanan,	Gremminger,	Manbeck,	Simmons,
Bush,	Gross,	Markley,	Slack,
Capano,	Guesman,	Marsh,	Snare,
Cianfrani,	Guthrie,	Maxwell,	Steckel,
Cioffi,	Hamilton,	May,	Stimmel,
Clarke,	Hankins,	McCandless,	Stiteler,
Comer,	Hartley,	McCann,	Stone,
Cooley,	Haudenshield,	McDevitt,	Strausser,
Crossin,	Heavey,	McDonald,	Sullivan, T. F.,
Curwood,	Heffner,	McLaughlin,	Taylor,
Davis,	Helm,	McNally,	Thompson,
Dengler,	Henzel,	Meholchick,	Tompkins,
Dennison,	Hocker,	Merry,	Ujobai,
Donaldson,	Horst,	Miller,	Varner,
Dougherty,	Irvs,	Monroe,	Verona,
Doughten,	Isaacs,	Morley,	Wall,
Down,	Jenkins,	Murray,	Walsh,
Edwards,	Jim,	Musto,	Wargo,
Ellberg,	Johnson, A. W.,	Needham,	Weidner,
Elvey,	Johnson, R. P.,	O'Dell,	Welsh,
Eshback,	Jones,	O'Donnell, J. A.,	Wescott,
Eshleman,	Kamyk,	Parlante,	Willardt,
Esler,	Kelser,	Pashley,	Williams, E. S.,
Ewing,	Kernaghan,	Perry,	Wood,
Farabaugh,	Kessler,	Polaski,	Worley,
Fetterolf,	King,	Polen,	Wynd,
Filo,	Kistler,	Prendergast,	Yetter,
Flynn,	Knecht,	Pursley,	Zimmerman,
Foor,	Kooker,	Reibman,	Andrews,
Fox,	Kornick,	Reidenbach,	
Frascella,	Korns,		Speaker

NAYS—0

NOT VOTING—38

Adams,	Holl,	Mullen,	Sakulsky,
Ashton,	Holliday,	Munley,	Seltzer,
Auker,	Holman,	Murphy,	Stank,
Branca,	Kelly,	O'Donnell, J. P.,	Sullivan, J. A.,
Capitolo,	Klein,	Odorisio,	Tomasick,
Cauley,	McCormack,	Petrosky,	Trusio,
Fineman,	McInroy,	Piper,	Whittaker,
Foerster,	McKeever,	Price,	Williams, A. D.,
Gelfand,	Mihm,	Royer,	Wilt,
Goldstein, M. H.,	Mills,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate bill No. 94, entitled:

An Act amending the act of June 25, 1895 (P. L. 275), entitled "City Classification Law" further regulating the change of classification of cities; changing the method of reclassifying cities of the second class A upon a decrease in population; authorizing retention of existing classification; authorizing elections and permitting selection of a form of city government in such cases from among several optional plans.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—174

Anderson, J. H.,	Frascella,	Lawson,	Rovansek,
Anderson, S. A.,	Fry,	Lee, A. M.,	Royer,
Arlene,	Fulmer,	Lee, K. B.,	Rubin,
Ashton,	Galley,	Leonard,	Rudisill,

Bachman,	Gallagher,	Limper,	Rutherford,
Backenstoe,	George,	Lippincott,	Scarcell,
Blair,	Gibb,	Long, Wm. Jas.,	Schaaf,
Boles,	Gibbons,	Long, Wm. Jos.,	Schuster,
Bonner,	Goldstein, J. H.,	Lutty,	Shelton,
Bossert,	Goodrich,	Magee,	Sherman,
Bower,	Gramlich,	Manbeck,	Shupnik,
Bowman,	Gray,	Markley,	Simmons,
Breth,	Greenlee,	Marsh,	Slack,
Buchanan,	Gremminger,	Maxwell,	Snare,
Bush,	Gross,	May,	Steckel,
Capano,	Guesman,	McCandless,	Stimmel,
Cianfrani,	Guthrie,	McCann,	Stiteler,
Cioffi,	Hamilton,	McDevitt,	Stone,
Clarke,	Hankins,	McDonald,	Strausser,
Comer,	Hartley,	McLaughlin,	Sullivan, J. A.,
Cooley,	Haudenshield,	McNally,	Sullivan, T. F.,
Crossin,	Heavey,	Meholchick,	Taylor,
Curwood,	Heffner,	Merry,	Thompson,
Davis,	Helm,	Miller,	Tompkins,
Dengler,	Hocker,	Mills,	Ujobai,
Dennison,	Horst,	Monroe,	Varner,
Donaldson,	Irvs,	Morley,	Verona,
Dougherty,	Jenkins,	Murray,	Wall,
Doughten,	Jim,	Musto,	Walsh,
Down,	Johnson, A. W.,	Needham,	Wargo,
Edwards,	Johnson, R. P.,	O'Dell,	Weidner,
Ellberg,	Jones,	O'Donnell, J. A.,	Welsh,
Elvey,	Kamyk,	Ogilvie,	Wescott,
Eshback,	Kelser,	Parlante,	Willard,
Eshleman,	Kernaghan,	Pashley,	Willardt,
Esler,	Kessler,	Perry,	Williams, E. S.,
Ewing,	King,	Polaski,	Wood,
Farabaugh,	Kistler,	Polen,	Worley,
Fetterolf,	Knecht,	Prendergast,	Wynd,
Filo,	Kooker,	Pursley,	Yetter,
Fineman,	Kornick,	Reibman,	Zember,
Flynn,	Korns,	Reidenbach,	Zimmerman,
Foor,	Kramer,	Riley,	Andrews,
Fox,	Lamb,		Speaker

NAYS—0

NOT VOTING—36

Adams,	Holl,	Mihm,	Renwick,
Auker,	Holliday,	Mullen,	Sakulsky,
Branca,	Holman,	Munley,	Seltzer,
Capitolo,	Isaacs,	Murphy,	Stank,
Cauley,	Kelly,	O'Donnell, J. P.,	Tomasick,
Foerster,	Klein,	Odorisio,	Trusio,
Gelfand,	McCormack,	Petrosky,	Whittaker,
Goldstein, M. H.,	McInroy,	Piper,	Williams, A. D.,
Henzel,	McKeever,	Price,	Wilt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Mr. ISAACS. Mr. Speaker, I was called to the telephone and did not vote on Senate bill No. 94. Had I been in my seat, I would have voted "aye."

Agreeably to order,

The House proceeded to the consideration on final passage of Senate bill No. 99, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" regulating the issuance of operators' licenses to persons between sixteen and eighteen years of age, restricting their driving privileges and providing penalties.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—143

Adams,	Frascella,	Knecht,	Petrosky,
Anderson, J. H.,	Fry,	Kooker,	Polen,
Anderson, S. A.,	Fulmer,	Kornick,	Prendergast,
Arlene,	Galley,	Korns,	Pursley,
Ashton,	Gallagher,	Kramer,	Reibman,
Bachman,	George,	Lamb,	Riley,
Backenstoe,	Gibb,	Lawson,	Rubin,
Blair,	Gibbons,	Lee, A. M.,	Rudisill,
Bonner,	Goldstein, J. H.,	Lee, K. B.,	Rutherford,
Bossert,	Gramlich,	Leonard,	Scarcelli,
Bower,	Gray,	Limper,	Schuster,
Bowman,	Greenlee,	Lippincott,	Shelton,
Breth,	Gremminger,	Long, Wm. Jas.,	Sherman,
Capano,	Gross,	Long, Wm. Jos.,	Shupnik,
Cianfrani,	Guesman,	Lutty,	Simmons,
Cioffi,	Guthrie,	Markley,	Slack,
Clarke,	Hamilton,	Marsh,	Stank,
Comer,	Hankins,	Maxwell,	Steckel,
Cooley,	Hartley,	May,	Stimmel,
Crossin,	Haudenschild,	McCann,	Stone,
Curwood,	Heavey,	McDevitt,	Sullivan, J. A.,
Davis,	Heffner,	McDonald,	Taylor,
Dengler,	Helm,	McLaughlin,	Thompson,
Dennison,	Hocker,	McNally,	Tompkins,
Donaldson,	Holl,	Meholchick,	Ujohai,
Dougherty,	Irlis,	Miller,	Verona,
Down,	Isaacs,	Mills,	Walsh,
Ellberg,	Jenkins,	Monroe,	Wargo,
Eshleman,	Jim,	Morley,	Weidner,
Eslser,	Johnson, A. W.,	Murray,	Welsh,
Ewing,	Johnson, R. P.,	Musto,	Willaredt,
Fetterolf,	Jones,	Needham,	Wynd,
Filo,	Kamyk,	O'Dell,	Yetter,
Fineman,	Keiser,	Ogilvie,	Zember,
Flynn,	Kernaghan,	Parlante,	Andrews,
Fox,	Kessler,	Perry,	Speaker

NAYS—32

Buchanan,	Goodrich,	Pashley,	Sullivan, T. F.,
Bush,	King,	Polaski,	Wall,
Doughten,	Kistler,	Renwick,	Wescott,
Edwards,	Magee,	Rovansek,	Willard,
Elvey,	Manbeck,	Schaaf,	Williams, E. S.,
Eshback,	McCandless,	Snare,	Wood,
Farabaugh,	Merry,	Stiteler,	Worley,
Poor,	O'Donnell, J. A.,	Strausser,	Zimmerman,

NOT VOTING—35

Auker,	Holliday,	Mullen,	Sakulsky,
Boles,	Holman,	Munley,	Seltzer,
Branca,	Horst,	Murphy,	Tomasick,
Capitolo,	Kelly,	O'Donnell, J. P.,	Trusio,
Cauley,	Klein,	Odorisio,	Varnier,
Foerster,	McCormack,	Piper,	Whittaker,
Gelfand,	McInroy,	Price,	Williams, A. D.,
Goldstein, M. H.,	McKeever,	Reldenbach,	Wilt,
Henzel,	Mihm,	Royer,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Mr. McCANN. Mr. Speaker, on page 15 I call up Senate bill 115. This bill is listed as a non-preferred bill and it is a preferred appropriation bill.

The SPEAKER pro tempore. On page 15 the majority leader calls up a bill which appears as a non-preferred appropriation bill, but actually is a preferred appropriation bill, Senate bill 115, printer's No. 859.

APPROPRIATION BILL ON THIRD READING (PREFERRED)

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 115, entitled:

An Act making an appropriation to the committee appointed by the 1960 General Assembly to study the unemployment problem in Pennsylvania.

On the question,

Will the House agree to the bill on third reading?

MR. POLEN asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Sec. 1, page 2, line 9, by inserting after "duties": only during the continuance of the 1960 and 1961 sessions of the General Assembly

Amend bill, page 2, by inserting between lines 9 and 10: Section 2. The sum appropriated shall be paid on warrant of the Auditor General in favor of the chairman of the joint committee on the presentation of his requisition for the same. The chairman of the joint committee shall, not later than thirty days after the termination of his term of office or until his successor is elected and also within thirty days after the adjournment sine die of this General Assembly, file an account with the Auditor General of the committee's expenses since the filing of any prior account.

Amend Sec. 2, page 2, line 10, by striking out "2" and inserting: 3.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 301, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), providing for separate computation of tuition for junior high school tuition pupils and senior high school tuition pupils at the request of the receiving district.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—179

Adams,	Fulmer,	Lawson,	Rovansek,
Anderson, J. H.,	Galley,	Lee, A. M.,	Royer,
Anderson, S. A.,	Gallagher,	Lee, K. B.,	Rubin,
Arlene,	George,	Leonard,	Rudisill,
Ashton,	Gibb,	Limper,	Rutherford,
Bachman,	Gibbons,	Lippincott,	Scarcelli,
Backenstoe,	Goldstein, J. H.,	Long, Wm. Jas.,	Schaaf,
Blair,	Goodrich,	Long, Wm. Jos.,	Schuster,
Bossert,	Gramlich,	Lutty,	Shelton,
Bower,	Gray,	Magee,	Sherman,
Bowman,	Greenlee,	Manbeck,	Shupnik,
Breth,	Gremminger,	Markley,	Simmons,
Buchanan,	Gross,	Marsh,	Slack,
Bush,	Guesman,	Maxwell,	Snare,
Capano,	Guthrie,	May,	Stank,
Cianfrani,	Hamilton,	McCandless,	Steckel,

Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dengler, Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Elberg, Elvey, Eshback, Eshleman, Esler, Ewing, Farabaugh, Fetterolf, Flo, Fineman, Flynn, Foor, Fox, Fracella, Fry,	Hankins, Hartley, Haudenshield, Heavey, Heffner, Helm, Henzel, Hocker, Holl, Horst, Irvis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kelser, Kernaghan, Kessler, King, Kistler, Knecht, Kooker, Kornick, Korns, Kramer, Lamb,	McCann, McCormack, McDevitt, McDonald, McLaughlin, McNally, Meholchick, Merry, Miller, Mills, Monroe, Morley, Musto, Needham, O'Dell, O'Donnell, J. A., Ogilvie, Parlante, Pashley, Perry, Petrosky, Polaski, Polen, Prendergast, Pursley, Reibman, Reidenbach, Renwick, Riley,	Stimmel, Stiteler, Stone, Strausser, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tompkins, Ujobal, Varner, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Willard, Willaredt, Williams, E. S., Wood, Worley, Wynd, Yetter, Zember, Zimmerman, Andrews, Speaker
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NAYS—0

NOT VOTING—31

Auker, Boles, Bonner, Branca, Capitolo, Cauley, Foerster, Gelfand,	Goldstein, M. H., Holliday, Holman, Kelly, Klein, McInroy, McKeever, Mihm,	Mullen, Munley, Murphy, Murray, O'Donnell, J. P., Odoriso, Piper, Price,	Sakulsky, Seltzer, Tomascik, Trusio, Whittaker, Williams, A. D., Wilt,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1232, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), requiring the notice of conviction for violations in other states to contain a certified record of the conviction and requiring the same to be made available.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—181

Adams, Anderson, J. H., Anderson, S. A., Arlene, Ashton, Bachman, Backenstoe, Blair, Boles, Bonner, Bossert, Bower, Bowman, Breth, Buchanan, Bush,	Fry, Fulmer, Galley, Gallagher, George, Gibb, Gibbons, Goldstein, J. H., Goodrich, Gramlich, Gray, Greenlee, Gremminger, Gross, Guesman, Guthrie,	Lamb, Lawson, Lee, A. M., Lee, K. B., Leonard, Limper, Lippincott, Long, Wm. Jas., Long, Wm. Jos., Lutty, Magee, Manbeck, Markley, Marsh, Maxwell, May,	Renwick, Riley, Rovanssek, Royer, Rubin, Rudisill, Rutherford, Scarcelli, Schaaf, Schuster, Shelton, Sherman, Shupnik, Simmons, Slack, Snare,
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Capano, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dengler, Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Elberg, Elvey, Eshback, Eshleman, Esler, Ewing, Farabaugh, Fetterolf, Flo, Fineman, Flynn, Foor, Fox, Fracella,	Hamilton, Hankins, Hartley, Haudenshield, Heavey, Heffner, Helm, Henzel, Hocker, Holl, Horst, Irvis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kelser, Kernaghan, Kessler, King, Kistler, Knecht, Kooker, Kornick, Korns, Kramer,	McCandless, McCann, McCormack, McDevitt, McDonald, McLaughlin, McNally, Meholchick, Merry, Miller, Mills, Monroe, Morley, Murray, Musto, Needham, O'Dell, O'Donnell, J. A., Ogilvie, Parlante, Pashley, Perry, Petrosky, Polaski, Polen, Prendergast, Pursley, Reibman, Reidenbach,	Stank, Stimmel, Stiteler, Stone, Strausser, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tompkins, Ujobal, Varner, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Willard, Willaredt, Williams, E. S., Wood, Worley, Wynd, Yetter, Zember, Zimmerman, Andrews, Speaker
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NAYS—0

NOT VOTING—29

Auker, Branca, Capitolo, Cauley, Foerster, Gelfand, Goldstein, M. H., Holliday,	Holman, Kelly, Klein, McInroy, McKeever, Mihm, Mullen,	Munley, Murphy, O'Donnell, J. P., Odoriso, Piper, Price, Sakulsky,	Seltzer, Steckel, Tomascik, Trusio, Whittaker, Williams, A. D., Wilt,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1274, entitled:

An Act amending the act of March 7, 1901 (P. L. 20), entitled "An act for the government of cities of the second class" authorizing officials, officers and agencies thereof to issue subpoenas for the purposes of certain hearings and investigations held by them.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMENDED

Mr. McCANN. Mr. Speaker, I move that this bill be recommended to the Committee on Cities—Counties Second Class and Second Class A.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1306, entitled:

An Act amending the act of May 29, 1956 (P. L. 1804), entitled "An act providing for the establishment of police pension funds or pension annuities in certain boroughs, towns and townships * * *" authorizing boroughs, towns and townships maintaining a police force of one or more members to establish a police pension fund or police annuity.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—170

Anderson, J. H.,	Frascella,	Korns,	Pursley,
Anderson, S. A.,	Fry,	Kramer,	Reibman,
Arlene,	Fulmer,	Lamb,	Reidenbach,
Ashton,	Galley,	Lawson,	Riley,
Bachman,	Gallagher,	Lee, A. M.,	Rovanssek,
Backenstoe,	George,	Lee, K. B.,	Royer,
Blair,	Gibb,	Leonard,	Rubin,
Boles,	Gibbons,	Limper,	Rudisill,
Bonner,	Goldstein, J. H.,	Lippincott,	Rutherford,
Bossert,	Goldstein, M. H.,	Long, Wm. Jas.,	Scarcelli,
Bower,	Gramlich,	Long, Wm. Jos.,	Schaaf,
Bowman,	Gray,	Lutty,	Schuster,
Breth,	Greenlee,	Manbeck,	Shelton,
Buchanan,	Gremminger,	Markley,	Sherman,
Bush,	Gross,	Marsh,	Shupnik,
Capano,	Guesman,	Maxwell,	Simmons,
Cauley,	Guthrie,	May,	Slack,
Cianfrani,	Hamilton,	McCandless,	Snare,
Cioffi,	Hankins,	McCann,	Stank,
Clarke,	Hartley,	McCormack,	Stimmel,
Comer,	Haudenshield,	McDevitt,	Stiteler,
Cooley,	Heavey,	McDonald,	Stone,
Crossin,	Heffner,	McLaughlin,	Strausser,
Curwood,	Helm,	McNally,	Sullivan, J. A.,
Davis,	Henzel,	Meholchick,	Sullivan, T. F.,
Dengler,	Hocker,	Miller,	Taylor,
Dennison,	Holl,	Mills,	Thompson,
Donaldson,	Horst,	Monroe,	Ujobai,
Dougherty,	Irviss,	Morley,	Varnar,
Doughten,	Isaacs,	Murray,	Verona,
Down,	Jenkins,	Musto,	Wall,
Edwards,	Jim,	Needham,	Walsh,
Ellberg,	Johnson, A. W.,	O'Dell,	Wargo,
Elvey,	Johnson, R. P.,	O'Donnell, J. A.,	Weidner,
Eshback,	Jones,	Ogilvie,	Wescott,
Eshleman,	Kamyk,	Parlante,	Willaredt,
Esler,	Kelser,	Pashley,	Williams, E. S.,
Ewing,	Kernaghan,	Perry,	Worley,
Farabaugh,	Kessler,	Petrosky,	Yetter,
Fetterolf,	Kistler,	Polaski,	Wynd,
Filo,	Knecht,	Polen,	Zimmerman,
Fineman,	Kooker,	Prendergast,	Andrews,
Flynn,	Kornick,		Speaker

NAYS—8

Adams,	Goodrich,	Merry,	Willard,
Foor,	Magee,	Tompkins,	Wood,

NOT VOTING—32

Auker,	Kelly,	Murphy,	Steckel,
Branca,	King,	O'Donnell, J. P.,	Tomasick,
Capitolo,	Klein,	Odorisio,	Trusio,
Foerster,	McInroy,	Piper,	Welsh,
Fox,	McKeever,	Price,	Whittaker,
Gelfand,	Mihm,	Renwick,	Williams, A. D.,
Holliday,	Mullen,	Sakulsky,	Wilt,
Holman,	Munley,	Seltzer,	Zember,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1307, entitled:

An Act amending the "Chiropody Act of 1956" approved March 2, 1956 (P. L. 1206), providing for biennial renewal of registration, changing fees and requiring attendance at biennial educational conferences as a condition of renewal of registration.

On the question,

Will the House agree to the bill on third reading?

Mr. SCARCELLI asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Section 1, page 3, line 4, by striking out "five dollars (\$5)" and inserting: ten dollars (\$10)

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1500, entitled:

An Act amending the act of June 11, 1935 (P. L. 326), entitled "An act relating to counties of the first class defining deceased service persons, providing for contributions by the county to the funeral expenses for such persons and their widows, providing for the erection and care of markers, headstones and flags and for the compilation of war records"; further regulating contributions made by county commissioners toward funeral expenses of deceased service persons and their widows.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—179

Adams,	Fry,	Lamb,	Riley,
Anderson, J. H.,	Fulmer,	Lawson,	Rovanssek,
Anderson, S. A.,	Galley,	Lee, A. M.,	Royer,
Arlene,	Gallagher,	Lee, K. B.,	Rubin,
Ashton,	George,	Limper,	Rudisill,
Bachman,	Gibb,	Lippincott,	Rutherford,
Backenstoe,	Gibbons,	Long, Wm. Jas.,	Scarcelli,
Blair,	Goldstein, J. H.,	Long, Wm. Jos.,	Schaaf,
Boles,	Goldstein, M. H.,	Lutty,	Schuster,
Bonner,	Goodrich,	Magee,	Shelton,
Bossert,	Gramlich,	Manbeck,	Sherman,
Bower,	Gray,	Markley,	Shupnik,
Bowman,	Greenlee,	Marsh,	Simmons,
Breth,	Gremminger,	Maxwell,	Slack,
Buchanan,	Gross,	May,	Snare,
Capano,	Guesman,	McCandless,	Stank,
Cauley,	Guthrie,	McCann,	Stimmel,
Cianfrani,	Hamilton,	McCormack,	Stiteler,
Cioffi,	Hankins,	McDevitt,	Stone,
Clarke,	Hartley,	McDonald,	Strausser,
Comer,	Haudenshield,	McLaughlin,	Sullivan, J. A.,
Cooley,	Heavey,	McNally,	Sullivan, T. F.,
Crossin,	Heffner,	Meholchick,	Taylor,
Curwood,	Helm,	Merrill,	Thompson,
Davis,	Henzel,	Miller,	Tomasick,
Dengler,	Hocker,	Mills,	Tompkins,
Dennison,	Holl,	Monroe,	Ujobai,
Donaldson,	Horst,	Morley,	Varnar,
Dougherty,	Irviss,	Murphy,	Verona,
Doughten,	Isaacs,	Murray,	Wall,
Down,	Jenkins,	Musto,	Walsh,
Edwards,	Jim,	Needham,	Wargo,
Ellberg,	Johnson, A. W.,	O'Dell,	Weidner,
Elvey,	Johnson, R. P.,	O'Donnell, J. A.,	Welsh,
Eshback,	Jones,	Ogilvie,	Wescott,
Eshleman,	Kamyk,	Parlante,	Willard,
Esler,	Kelser,	Pashley,	Willaredt,

Ewing,	Kernaghan,	Petrosky,	Williams, E. S.,
Farabaugh,	Kessler,	Polaski,	Wood,
Fetterolf,	Kistler,	Polen,	Worley,
Filo,	Knecht,	Prendergast,	Wynd,
Fineman,	Kooker,	Pursley,	Yetter,
Flynn,	Kornick,	Reibman,	Zimmerman,
Foor,	Korns,	Reidenbach,	Andrews,
Frascella,	Kramer,	Renwick,	Speaker

NAYS—0

NOT VOTING—31

Auker,	Holman,	Mullen,	Seltzer,
Branca,	Kelly,	Munley,	Steckel,
Bush,	King,	O'Donnell, J. P.,	Trusio,
Capitolo,	Klein,	Odorliso,	Whittaker,
Foerster,	Leonard,	Perry,	Williams, A. D.,
Fox,	McInroy,	Piper,	Wilt,
Gelfand,	McKeever,	Price,	Zember,
Holliday,	Mihm,	Sakulsky,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1554, entitled:

An Act amending the act of May 28, 1915 (P. L. 596), entitled "An act requiring cities of the second class to establish a pension fund for employees of said cities and regulating the administration and the payment of such pensions"; authorizing the withdrawal of service increment contributions by persons who retire before becoming entitled to any service increment.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—178

Adams,	Galley,	Lee, A. M.,	Rovansek,
Anderson, J. H.,	Gallagher,	Leonard,	Royer,
Arlene,	George,	Limper,	Rubin,
Ashton,	Gibb,	Lippincott,	Rudisill,
Bachman,	Gibbons,	Long, Wm. Jas.,	Rutherford,
Backenstoe,	Goldstein, J. H.,	Long, Wm. Jos.,	Scarcelli,
Boles,	Goldstein, M. H.,	Lutty,	Schaaf,
Bonner,	Goodrich,	Magee,	Schuster,
Bossert,	Gramlich,	Manbeck,	Shelton,
Bower,	Gray,	Markley,	Sherman,
Bowman,	Gremminger,	Marsh,	Shupnik,
Breth,	Gross,	Maxwell,	Simmons,
Buchanan,	Guesman,	May,	Slack,
Bush,	Guthrie,	McCandless,	Snare,
Capano,	Hamilton,	McCann,	Stank,
Caulley,	Hankins,	McCormack,	Steckel,
Cianfrani,	Hartley,	McDevitt,	Stimmel,
Cioffi,	Haudenshield,	McDonald,	Stiteler,
Clarke,	Heavey,	McLaughlin,	Stone,
Comer,	Hefner,	McNally,	Strausser,
Cooley,	Helm,	Merry,	Sullivan, J. A.,
Crossin,	Henzel,	Miller,	Sullivan, T. F.,
Curwood,	Hocker,	Mills,	Taylor,
Davis,	Holl,	Monroe,	Thompson,
Dengler,	Holliday,	Morley,	Tomasck,
Dennison,	Horst,	Murphy,	Tompkins,
Donaldson,	Irvis,	Murray,	Ujobai,
Doughten,	Isaacs,	Musto,	Varner,
Down,	Jenkins,	Needham,	Verona,
Edwards,	Jim,	O'Dell,	Wall,
Ellberg,	Johnson, A. W.,	O'Donnell, J. A.,	Walsh,
Elvey,	Johnson, R. P.,	Ogilvie,	Wargo,
Eshback,	Jones,	Parlante,	Weidner,
Eshleman,	Kamyk,	Pashley,	Welsh,

Esler,	Keiser,	Perry,	Wescott,
Ewing,	Kernaghan,	Petrosky,	Willard,
Farabaugh,	Kessler,	Polaski,	Willaredt,
Fetterolf,	King,	Polen,	Wood,
Filo,	Knecht,	Prendergast,	Worley,
Fineman,	Kooker,	Pursley,	Yetter,
Flynn,	Kornick,	Reibman,	Wynd,
Foor,	Korns,	Reidenbach,	Zember,
Frascella,	Kramer,	Renwick,	Zimmerman,
Fry,	Lamb,	Riley,	Andrews,
Fulmer,	Lawson,		Speaker

NAYS—0

NOT VOTING—32

Anderson, S. A.,	Gelfand,	McKeever,	Price,
Auker,	Greenlee,	Meholchick,	Sakulsky,
Blair,	Holman,	Mihm,	Seltzer,
Branca,	Kelly,	Mullen,	Trusio,
Capitolo,	Kistler,	Munley,	Whittaker,
Dougherty,	Klein,	O'Donnell, J. P.,	Williams, A. D.,
Foerster,	Lee, K. B.,	Odorliso,	Williams, E. S.,
Fox,	McInroy,	Piper,	Wilt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1490, entitled:

An Act amending the act of May 1, 1913 (P. L. 155), entitled, "An act regulating the letting of certain contracts for the erection, construction and alteration of public buildings"; further regulating the letting of such contracts by municipality authorities, the General State Authority and the State Public School Building Authority.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on State Government.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1492, entitled:

An Act amending the "State Public School Building Authority Act" approved July 5, 1947 (P. L. 1217), further regulating competition in award of contracts.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on State Government.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1493, entitled:

An Act amending "The General State Authority Act of one thousand nine hundred forty-nine" approved March 31, 1949 (P. L. 372), further regulating competition in award of contracts.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMENDED

Mr. McCANN, Mr. Speaker, I move that this bill be recommitted to the Committee on State Government.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1565, entitled:

An Act amending the "Second Class County Code" approved July 28, 1953 (P. L. 723), further regulating contributions made by county commissioners toward funeral expenses of deceased service persons and their widows.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—176

Adams,	Foor,	Kooker,	Renwick,
Anderson, J. H.,	Frascella,	Kornick,	Riley,
Anderson, S. A.,	Fry,	Korns,	Rovanse,
Arlene,	Fulmer,	Kramer,	Royer,
Ashton,	Galley,	Lamb,	Rubin,
Bachman,	Gallagher,	Lawson,	Rudisill,
Backenstoe,	George,	Lee, A. M.,	Rutherford,
Blair,	Gibb,	Leonard,	Scarcell,
Boies,	Gibbons,	Limper,	Schaaf,
Bonner,	Goldstein, J. H.,	Lippincott,	Schuster,
Bossert,	Goldstein, M. H.,	Long, Wm. Jos.,	Shelton,
Bower,	Goodrich,	Magee,	Sherman,
Bowman,	Gramlich,	Manbeck,	Shupnik,
Breth,	Gray,	Marsh,	Simmons,
Buchanan,	Gremminger,	Maxwell,	Slack,
Bush,	Gross,	McCandless,	Snare,
Capano,	Guesman,	McCann,	Stank,
Cauley,	Guthrie,	McCormack,	Steckel,
Cianfrani,	Hamilton,	McDevitt,	Stimmel,
Cioffi,	Hankins,	McDonald,	Stiteler,
Clarke,	Hartley,	McLaughlin,	Stone,
Comer,	Haudenschild,	McNally,	Strausser,
Cooley,	Heavey,	Meholchick,	Sullivan, J. A.,
Crossin,	Heffner,	Merry,	Sullivan, T. F.,
Curwood,	Helm,	Mills,	Taylor,
Davis,	Henzel,	Monroe,	Thompson,
Dengler,	Hocker,	Morley,	Tomasick,
Dennison,	Holl,	Murphy,	Ujobal,
Donaldson,	Holliday,	Murray,	Varner,
Dougherty,	Horst,	Musto,	Verona,
Doughten,	Irvls,	Needham,	Walsh,
Down,	Isaacs,	O'Dell,	Wargo,
Edwards,	Jenkins,	O'Donnell, J. A.,	Weidner,
Ellberg,	Jim,	Ogilvie,	Welsh,
Elvey,	Johnson, A. W.,	Parlante,	Wescott,
Eshback,	Johnson, R. P.,	Pashley,	Willard,
Eshleman,	Jones,	Perry,	Willaredt,
Esler,	Kamyk,	Petrosky,	Williams, E. S.,
Ewing,	Kelser,	Polaski,	Wood,
Farabaugh,	Kernaghan,	Polen,	Wynd,
Fetterolf,	Kessler,	Prendergast,	Yetter,
Filo,	King,	Pursley,	Zember,
Fineman,	Kistler,	Reibman,	Zimmerman,
Flynn,	Knecht,	Reidenbach,	Andrews,

NAYS—0

NOT VOTING—34

Auker,	Klein,	Miller,	Seltzer,
Branca,	Lee, K. B.,	Mullen,	Tompkins,
Capitolo,	Long, Wm. Jas.,	Munley,	Trusio,
Foerster,	Lutty,	O'Donnell, J. P.,	Walsh,
Fox,	Markley,	Odorisio,	Whittaker,
Gelfand,	May,	Piper,	Williams, A. D.,
Greenlee,	McInroy,	Price,	Williams, E. S.,
Holman,	McKeever,	Sakulsky,	Wilt,
Kelly,	Mihm,		

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1585, entitled:

An Act amending "The Fourth to Eighth Class County Assessment Law" approved May 21, 1943 (P. L. 571), authorizing the reassessment of property in certain cases and imposing liability for taxes upon the owners thereof repealing inconsistent acts.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—168

Adams,	Galley,	Kornick,	Reidenbach,
Anderson, J. H.,	Gallagher,	Korns,	Renwick,
Anderson, S. A.,	George,	Kramer,	Riley,
Arlene,	Gibb,	Lamb,	Rovanse,
Ashton,	Gibbons,	Lawson,	Royer,
Bachman,	Goldstein, J. H.,	Lee, A. M.,	Rubin,
Backenstoe,	Goldstein, M. H.,	Lee, K. B.,	Rudisill,
Boles,	Goodrich,	Leonard,	Rutherford,
Bonner,	Gramlich,	Limper,	Scarcell,
Bossert,	Gray,	Lippincott,	Schaaf,
Bower,	Greenlee,	Long, Wm. Jos.,	Schuster,
Bowman,	Gremminger,	Lutty,	Shelton,
Breth,	Gross,	Magee,	Shupnik,
Buchanan,	Guesman,	Markley,	Simmons,
Bush,	Guthrie,	Marsh,	Slack,
Capano,	Hamilton,	Maxwell,	Stank,
Cauley,	Hankins,	McCandless,	Steckel,
Cianfrani,	Hartley,	McCann,	Stimmel,
Cioffi,	Haudenschild,	McDevitt,	Stone,
Clarke,	Heavey,	McLaughlin,	Strausser,
Comer,	Heffner,	McNally,	Sullivan, J. A.,
Cooley,	Helm,	Meholchick,	Sullivan, T. F.,
Crossin,	Henzel,	Merry,	Taylor,
Curwood,	Hocker,	Miller,	Thompson,
Davis,	Holl,	Mills,	Tomasick,
Dengler,	Holliday,	Monroe,	Ujobal,
Dennison,	Horst,	Morley,	Varner,
Donaldson,	Irvls,	Murphy,	Verona,
Dougherty,	Isaacs,	Murray,	Walsh,
Down,	Jenkins,	Musto,	Wargo,
Elvey,	Jim,	Needham,	Weidner,
Eshback,	Johnson, A. W.,	O'Donnell, J. A.,	Welsh,
Eshleman,	Johnson, R. P.,	Ogilvie,	Wescott,
Ewing,	Jones,	Parlante,	Willard,
Farabaugh,	Kamyk,	Pashley,	Willaredt,
Fetterolf,	Kelser,	Perry,	Williams, E. S.,
Filo,	Kernaghan,	Petrosky,	Wood,
Flynn,	Kessler,	Polaski,	Wynd,
	King,	Polen,	Yetter,
	Kistler,	Prendergast,	Zember,
	Knecht,	Pursley,	Zimmerman,
	Kooker,	Reibman,	Andrews,

Speaker

NAYS—10

Doughten,	Manbeck,	Snare,	Wall,
Edwards,	O'Dell,	Tompkins,	Worley,
Poor,	Sherman,		

NOT VOTING—32

Auker,	Gelfand,	McInroy,	Price,
Blair,	Holman,	McKeever,	Sakulsky,
Branca,	Kelly,	Mihm,	Seltzer,
Capitolo,	Klein,	Mullen,	Stiteler,
Ellberg,	Long, Wm. Jas.,	Munley,	Trusio,
Esler,	May,	O'Donnell, J. P.,	Whittaker,
Fineman,	McCormack,	Odorisio,	Williams, A. D.,
Foerster,	McDonald,	Piper,	Wilt,

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1586, entitled:

An Act amending the act of June 26, 1931 (P. L. 1379), entitled "An act creating in counties of the third class a board for the assessment and revision of taxes providing for the appointment of the members of such board by the county commissioners * * *" authorizing the reassessment of property in certain cases and imposing liability for taxes upon the owner thereof repealing inconsistent acts.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—171

Adams,	Fry,	Kornick,	Riley,
Anderson, J. H.	Fulmer,	Korns,	Rovansek,
Anderson, S. A.,	Galley,	Kramer,	Royer,
Arlene,	Gallagher,	Lamb,	Rubin,
Ashton,	George,	Lawson,	Rudisill,
Auker,	Gibb,	Lee, A. M.,	Rutherford,
Bachman,	Gibbons,	Lee, K. B.,	Scarcelll,
Backenstoe,	Goldstein, J. H.,	Leonard,	Schaaf,
Blair,	Goldstein, M. H.,	Limper,	Schuster,
Boles,	Goodrich,	Lippincott,	Shelton,
Bonner,	Gramlich,	Long, Wm Jas.,	Shupnik,
Bower,	Gray,	Long, Wm. Jos.,	Simmons,
Bowman,	Greenlee,	Lutty,	Slack,
Breth,	Gremminger,	Magee,	Stank,
Buchanan,	Gross,	Markley,	Steckel,
Bush,	Guthrie,	Marsh,	Stimmel,
Capano,	Hamilton,	Maxwell,	Stiteler,
Cauley,	Hankins,	McCandless,	Stone,
Cianfrani,	Hartley,	McCann,	Strausser,
Cioffi,	Haudenschild,	McDevitt,	Sullivan, J. A.,
Clarke,	Heavey,	McLaughlin,	Sullivan, T. F.,
Comer,	Heffner,	McNally,	Taylor,
Cooley,	Helm,	Meholchick,	Thompson,
Crossin,	Henzel,	Merry,	Tomascik,
Curwood,	Hocker,	Miller,	Ujobai,
Davis,	Holl,	Mills,	Varner,
Dengler,	Holliday,	Monroe,	Verona,
Dennison,	Horst,	Morley,	Wall,
Donaldson,	Irviss,	Murphy,	Walsh,
Dougherty,	Isaacs,	Musto,	Wargo,
Down,	Jenkins,	Needham,	Weidner,
Ellberg,	Jim,	O'Dell,	Welsh,
Elvey,	Johnson, A. W.,	Ogilvie,	Wescott,
Eshback,	Johnson, R. P.,	Parlante,	Willard,
Eshleman,	Jones,	Pashley,	Willaredt,
Esler,	Kamyk,	Perry,	Williams, E. S.,
Ewing,	Kelser,	Petrosky,	Wood,
Farabaugh,	Kernaghan,	Polaski,	Wynd,
Fetterolf,	Kessler,	Polen,	Yetter,
Filo,	King,	Prendergast,	Zember,
Flynn,	Kistler,	Pursley,	Zimmerman,
Foor,	Knecht,	Reibman,	Andrews,
Frascella,	Kooker,	Renwick,	Speaker

NAYS—11

Bossert,	Guesman,	O'Donnell, J. A.,	Tompkins,
Doughten,	Manbeck,	Sherman,	Worley,
Edwards,	Murray,	Snare,	

NOT VOTING—28

Branca,	Kelly,	Mihm,	Reidenbach,
Capitolo,	Klein,	Mullen,	Sakulsky,
Fineman,	May,	Munley,	Seltzer,
Foerster,	McCormack,	O'Donnell, J. P.,	Trusio,
Fox,	McDonald,	Odooriso,	Whittaker,
Gelfand,	McInroy,	Piper,	Williams, A. D.,
Holman,	McKeever,	Price,	Wilt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1621, entitled:

An Act amending the "Vocational Rehabilitation Act of one thousand nine hundred forty-five," approved May 22, 1945 (P. L. 849), authorizing certain persons injured by accidents incurred in the course of their employment or disabled by occupational disease.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1638, entitled:

An Act amending "The Pennsylvania Occupational Disease Act," approved June 21, 1939 (P. L. 566), changing provisions relating to liability of employers and benefits and persons entitled thereto regulating practice and procedure changing subrogation rights providing for attendance of witnesses and generally clarifying and changing the provisions of the act.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1648, entitled:

An Act amending the act of May 25, 1933 (P. L. 1050), entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employees of the bureau of fire in cities of the second class * * *" further providing for medical examinations of pensioners and providing for return to active duty upon discontinuance of pension.

On the question,

Will the House agree to the bill on third reading?

Mr. LUTTY asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Title, page 2, next to last line of Title, by striking out "and"

Amend Title, page 2, last line of Title, by inserting after "pension" and providing for the crediting toward a pension of certain time during which a pensioner is disabled.

Amend Sec. 1 (Sec. 11.1), page 4, line 4, by inserting after "made" In the event that the beneficiary is found to be not fully qualified to be returned to active duty, and if the period of time during which such beneficiary has been receiving a disability pension, when added to

the years of service prior to such disability totals twenty years, then credit shall be given for said period and the beneficiary shall be eligible for a full pension. The beneficiary shall not be required to make any contributions or pay any dues as provided in clause (2) of section 9 of this act for the period during which he received a disability pension.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is the objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1746, entitled:

An Act constituting the Secretary of the Commonwealth as the agent for service of process on nonresident persons and foreign associations partnerships and corporations whose products are listed and sold by Pennsylvania Liquor Stores and who sell malt and brewed beverages to distributors and importing distributors licensed and doing business in this Commonwealth.

On the question,

Will the House agree to the bill on third reading?

Mr. PETROSKY asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Sec. 1, page 2, line 11, by inserting after "whereabouts" provided, however, that nothing contained herein shall be applicable to or change the requirements of the act of April 12, 1951 (P. L. 90), known as the "Liquor Code," as amended, and the regulation of the Pennsylvania Liquor Control Board adopted under authority conferred by said act, with respect to the service of process in proceedings instituted by the said board against nonresident persons, foreign associations, partnerships and corporations whose products are listed and sold in Pennsylvania Liquor Stores, and who sell malt and brewed beverages to importing distributors licensed and doing business in this Commonwealth.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is the objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1769, entitled:

An Act amending the compact contained in the act of June 5, 1937 (P. L. 1664), entitled "An act to ratify and adopt a compact or agreement negotiated by commissioners designated by the Governor of the Commonwealth of Pennsylvania and Commissioners designated

by the Governor of the State of Ohio * * *" ratifying a change in the compact designating the lake area on which motor boats may be operated and providing penalties.

An said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—181

Adams,	Fulmer,	Lamb,	Riley,
Anderson, J. H.,	Galley,	Lawson,	Rovansek,
Anderson, S. A.,	Gallagher,	Lee, A. M.,	Rubin,
Arlene,	George,	Lee, K. B.,	Rudisill,
Ashton,	Gibb,	Leonard,	Rutherford,
Auker,	Gibbons,	Limper,	Scarcell,
Bachman,	Goldstein, J. H.,	Lippincott,	Schaaf,
Backenstoe,	Goldstein, M. H.,	Long, Wm. Jas.,	Schuster,
Blair,	Goodrich,	Long, Wm. Jos.,	Shelton,
Bonner,	Gramlich,	Lutty,	Sherman,
Bossert,	Gray,	Magee,	Shupnik,
Bower,	Greenlee,	Manbeck,	Simmons,
Bowman,	Gremmlinger,	Markley,	Slack,
Breth,	Gross,	Marsh,	Snare,
Buchanan,	Guesman,	Maxwell,	Stank,
Bush,	Guthrie,	May,	Steckel,
Capano,	Hankins,	McCandless,	Stimmel,
Cauley,	Hartley,	McCann,	Stiteler,
Cianfrani,	Haudenschild,	McCormack,	Stone,
Cloff,	Heavey,	McDevitt,	Strausser,
Comer,	Heffner,	McDonald,	Sullivan, J. A.,
Cooley,	Helm,	McLaughlin,	Sullivan, T. F.,
Crossin,	Henzel,	McNally,	Taylor,
Curwood,	Hocker,	Meholchick,	Thompson,
Davis,	Holl,	Merry,	Tompkins,
Dengler,	Holliday,	Miller,	Ujbal,
Dennison,	Horst,	Mills,	Varnier,
Donaldson,	Iris,	Monroe,	Verona,
Dougherty,	Isaacs,	Morley,	Wall,
Doughten,	Jenkins,	Murphy,	Walsh,
Down,	Jim,	Murray,	Wargo,
Edwards,	Johnson, A. W.,	Musto,	Weidner,
Elberg,	Johnson, R. P.,	Needham,	Welsh,
Elvey,	Jones,	O'Dell,	Wescott,
Eshback,	Kamyk,	O'Donnell, J. A.,	Willard,
Eshleman,	Keiser,	Ogilvie,	Willaredt,
Esler,	Kernaghan,	Parlante,	Williams, E. S.,
Ewing,	Kessler,	Pashley,	Wilt,
Farabaugh,	King,	Perry,	Wood,
Fetterolf,	Kistler,	Polaski,	Worley,
Fineman,	Knecht,	Polen,	Wynd,
Flynn,	Kooker,	Prendergast,	Yetter,
Foor,	Kornick,	Pursley,	Zember,
Fox,	Korns,	Reibman,	Zimmerman,
Frascella,	Kramer,	Reidenbach,	Andrews,
Fry,			Speaker

NAYS—0

NOT VOTING—29

Boles,	Holman,	Munley,	Royer,
Branca,	Kelly,	O'Donnell, J. P.,	Sakulsky,
Capitolo,	Klein,	Odorislo,	Seltzer,
Clarke,	McInroy,	Petrosky,	Tomascik,
Filo,	McKeever,	Piper,	Trusio,
Foerster,	Mihm,	Price,	Whittaker,
Gelfand,	Mullen,	Renwick,	Williams, A. D.,
Hamilton,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate being introduced, returned bill

from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 715.

An Act amending the act of June 1, 1959 (P. L. 392), entitled "An act relating to the retirement of State employees amending revising consolidating and changing the laws relating thereto," providing for the creation of a dual coverage group and the right of certain members to elect dual coverage.

With the information that the Senate had passed the same with amendments in which the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The clerk will read the amendments.

The clerk read the amendments as follows:

Amend Section 1, page 2, line 11, by striking out after the word "on" the word and figures "June 1, 1961" and inserting in lieu thereof the word and figures "January 1, 1963"; line 12, by striking out after the word "before" the word and figures "December 1, 1961" and inserting in lieu thereof the word and figures "June 30, 1963"; line 19, by striking out after the word "to" the word and figures "June 1, 1961" and inserting in lieu thereof the word and figures "January 1, 1963"; Section 3, page 4, line 9, by striking out after the word "on" the word and figures "June 1, 1961" and inserting in lieu thereof the word and figures "January 1, 1963"; line 12, by striking out after the word "before" the word and figures "December 1, 1962" and inserting in lieu thereof the word and figures "June 30, 1964"; Section 8, page 9, line 18, by striking out after the word "thereof" the words "a new subsection" and inserting in lieu thereof the words "two new subsections"; page 10, by inserting after line 5 the following:

(8) Notwithstanding any other provisions of this act if any member of the joint coverage group who is a member on June 1, 1961 or thereafter and who applies for a superannuation retirement allowance or a withdrawal allowance or his services are terminated by his death or by involuntary separation on or before January 1, 1963 and he or his beneficiary shall elect to make the back contributions required under article III section 302 subsection (3) his benefit shall be computed without the reduction provided by article IV section 403 subsection 1

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, that the clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 716.

An Act amending the act of June 1, 1959 (P. L. 350), entitled "An act relating to the retirement of public school employees amending revising consolidating and changing the laws relating thereto," providing for the creation of a dual coverage group and the right of certain members to elect dual coverage.

With the information that the Senate had passed the

same with amendments in which the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The clerk will read the amendments.

The clerk read the amendments as follows:

Amend Section 1, page 2, line 11, by striking out after the word "on" the word and figures "June 1, 1961" and inserting in lieu thereof the word and figures "January 1, 1963"; line 12, by striking out after the word "before" the word and figures "December 1, 1961" and inserting in lieu thereof the word and figures "June 30, 1963"; line 18, by striking out after the word "to" the word and figures "June 1, 1961" and inserting in lieu thereof the word and figures "January 1, 1963"; Section 3, page 4, line 6, by striking out after the word "on" the word and figures "June 1, 1961" and inserting in lieu thereof the word and figures "January 1, 1963"; line 9, by striking out after the word "before" the word and figures "December 1, 1962" and inserting in lieu thereof the word and figures "June 30, 1964"; Section 8, page 9, line 17, by striking out after the word "thereof" the words "a new subsection" and inserting in lieu thereof the words "two new subsections" and page 10, by inserting after line 5 the following:

(10) Notwithstanding any other provisions of this act if any member of the joint coverage group who is a member on June 1, 1961 or thereafter and who applies for a superannuation retirement allowance or a withdrawal allowance or his services are terminated by his death or by involuntary separation on or before January 1, 1963 and he or his beneficiary shall elect to make the back contributions required under article III section 302 subsection 2.1 his benefit shall be computed without the reduction provided by article IV section 403 subsection 1.

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, that the clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 869.

An Act amending the act of June 12, 1951 (P. L. 533), entitled "An act relating to mental health including mental illness mental defect epilepsy and inebriety and amending revising consolidating and changing the laws relating thereto," regulating voluntary admission of minors to institutions and further regulating emergency commitments.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The clerk will read the amendments.

The clerk read the amendments as follows:

Amend Section 1, page 2, line 18, by inserting after the word "the" the words "minor if emancipated or by the"; page 3, line 11, by striking out after the word "period" the following: "an order of court is obtained committing the person to the institution it shall be the duty of The Department of Public Welfare to advise

the person admitted of his right to release unless such order of court is obtained and also of his rights with respect to the hearing before the court" and inserting in lieu thereof the following: "the superintendent shall have advised the patient that he has the right to consult counsel of his own choosing and to apply to the court for a writ of habeas corpus if he oppose his further treatment and if the patient shall by reason of tender years lack the judgment requisite to select counsel the superintendent shall refer the matter to the county bar association legal aid society lawyer reference service or similar group organized for the aid of persons needing legal assistance."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

On the question,

Will the House agree to the motion?

Mr. TOMPKINS. Since our caucus is asking that we concur on this amendment, I therefore ask the members on our side to vote "no" on non-concurrence and we ask for a roll call.

The SPEAKER pro tempore. The Chair understands a roll call has been requested and the Chair will put the question: Will the House concur in the amendments inserted by the Senate? Those voting "aye," vote to concur; those voting "no," vote to non-concur.

Mr. TOMPKINS. In view of the question, I will now ask the members on this side of the House to vote "aye."

Mr. McCANN. I ask the membership on this side of the House to vote "no" on motion made by Mr. Tompkins, for the purpose of non-concurring.

On the question recurring,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—84

Anderson, J. H.,	Fox,	Kernaghan,	Rutherford,
Ashton	Fulmer,	Kessler,	Slack,
Backenstoe,	George,	King,	Snare,
Blair,	Gibb,	Kistler,	Steckel,
Bossert,	Gibbons,	Kooker,	Stimmel,
Bower,	Goldstein, J. H.,	Korns,	Stiteler,
Bowman,	Goldstein, M. H.,	Lee, A. M.,	Thompson,
Buchanan,	Goodrich,	Lee, K. B.,	Tompkins,
Bush,	Gramlich,	Lippincott,	Ujohal,
Davis,	Gross,	Magee,	Wall,
Dengler,	Guthrie,	Manbeck,	Weidner,
Dennison,	Heim,	Markley,	Wescott,
Donaldson,	Henzel,	Marsh,	Willard,
Down,	Hocker,	May,	Willaredt,
Edwards,	Holl,	McCandless,	Williams, E. S.,
Elvey,	Holliday,	Merry,	Wilt,
Eshback,	Horst,	Miller,	Wood,
Esler,	Isaacs,	O'Dell,	Worley,
Ewing,	Johnson, A. W.,	Ogllive,	Wynd,
Fetterolf,	Johnson, R. P.,	Pursley,	Yetter,
Foor,	Keiser,	Royer,	Zimmerman,

NAYS—98

Adams,	Fry,	Maxwell,	Reibman,
Anderson, S. A.,	Galley,	McCann,	Reidenbach,
Arlene,	Gallagher,	McCormack,	Renwick,
Bachman,	Gray,	McDevitt,	Riley,
Boles,	Gremminger,	McDonald,	Rovanssek,
Bonner,	Guesman,	McLaughlin,	Rubin,
Branca,	Hamilton,	McNally,	Rudisill,
Breth,	Hankins,	Meholchick,	Scarcelli,
Capano,	Hartley,	Mills,	Schaaf,
Cauley,	Heavey,	Monroe,	Schuster,
Cianfrani,	Irvis,	Morley,	Shelton,

Cioffi,	Jenkins,	Mullen,	Sherman,
Clarke,	Jim,	Murphy,	Shupnik,
Comer,	Jones,	Musto,	Stank,
Cooley,	Kamyk,	Needham,	Stone,
Crossin,	Knecht,	O'Donnell, J. A.,	Sullivan, J. A.,
Curwood,	Kornick,	O'Donnell, J. P.,	Sullivan, T. F.,
Dougherty,	Kramer,	Farlante,	Taylor,
Doughten,	Lamb,	Pashley,	Tomascik,
Ellberg,	Lawson,	Perry,	Verona,
Farabaugh,	Leonard,	Petrosky,	Walsh,
Filo,	Limper,	Polaski,	Wargo,
Flineman,	Long, Wm. Jas.,	Polen,	Welsh,
Flynn,	Long, Wm. Jos.,	Prendergast,	Andrews,
Frascella,	Lutty,		Speaker

NOT VOTING—28

Auker,	Heffner,	Munley,	Simmons,
Capitolo,	Holman,	Murray,	Strausser,
Eshleman,	Kelly,	Odoriso,	Truslo,
Foerster,	Klein,	Piper,	Varnier,
Gelfand,	McInroy,	Price,	Whittaker,
Greenlee,	McKeever,	Sakulsky,	Williams, A. D.,
Haudenschild,	Mihm,	Seltzer,	Zember,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the amendments were not concurred in.

Ordered, that the clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 932.

An Act amending the act of March 10, 1949 (P. L. 30), entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto," providing for voting for mergers where some of the districts are already merged.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The clerk will read the amendments.

The clerk read the amendments as follows:

Amend Section 1, page 2, line 7, by striking out after the word "merger" the word "in" and inserting in lieu thereof the word "if."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCann. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—173

Anderson, J. H.,	Fulmer,	Lee, K. B.,	Renwick,
Anderson, S. A.,	Galley,	Leonard,	Riley,
Arlene,	Gallagher,	Limper,	Rovanssek,
Ashton,	George,	Lippincott,	Royer,
Bachman,	Gibb,	Long, Wm. Jas.,	Rubin,
Backenstoe,	Gibbons,	Long, Wm. Jos.,	Rudisill,
Blair,	Goldstein, J. H.,	Lutty,	Rutherford,
Boles,	Goldstein, M. H.,	Magee,	Scarcelli,
Bonner,	Goodrich,	Manbeck,	Schaaf,
Bossert,	Gramlich,	Markley,	Schuster,

Bower,	Gray,	Marsh,	Shelton,
Bowman,	Gremminger,	Maxwell,	Sherman,
Branca,	Gross,	May,	Shupnik,
Breth,	Guesman,	McCandless,	Slack,
Buchanan,	Guthrie,	McCann,	Snare,
Bush,	Hamilton,	McCormack,	Stank,
Capano,	Hankins,	McDevitt,	Steckel,
Cauley,	Hartley,	McDonald,	Stimmel,
Clanfrani,	Heavey,	McLaughlin,	Stiteler,
Cloffi,	Helm,	McNally,	Stone,
Clarke,	Henzel,	Mehelchick,	Sullivan, J. A.,
Comer,	Hocker,	Merry,	Sullivan, T. F.,
Crossin,	Holl,	Mills,	Taylor,
Curwood,	Horst,	Monroe,	Thompson,
Davis,	Irvig,	Morley,	Tomascik,
Dengler,	Jenkins,	Mullen,	Tompkins,
Donaldson,	Jim,	Murphy,	Ujobal,
Dougherty,	Johnson, R. P.,	Murray,	Verona,
Doughten,	Jones,	Musto,	Wall,
Down,	Kamyk,	Needham,	Walsh,
Edwards,	Kelser,	O'Dell,	Wargo,
Ellberg,	Kernaghan,	O'Donnell, J. A.,	Weldner,
Elvey,	Kessler,	O'Donnell, J. P.,	Welsh,
Eshback,	King,	Ogilvie,	Wescott,
Eshleman,	Kistler,	Parlante,	Willard,
Ewing,	Knecht,	Pashley,	Willaredt,
Farabaugh,	Kooker,	Perry,	Williams, E. S.,
Fetterolf,	Kornick,	Petrosky,	Wilt,
Filo,	Korns,	Polaski,	Wood,
Fineman,	Kramer,	Polen,	Wynd,
Flynn,	Lamb,	Pursley,	Yetter,
Foor,	Lawson,	Reibman,	Zimmerman,
Frascella,	Lee, A. M.,	Reidenbach,	Andrews,
Fry,			Speaker

NAYS—2

Isaacs, Worley,

NOT VOTING—35

Adams,	Greenlee,	McKeever,	Seltzer,
Auker,	Haudenshield,	Mihm,	Simmons,
Capitolo,	Hefner,	Miller,	Strausser,
Cooley,	Holliday,	Munley,	Trusio,
Dennison,	Holman,	Odorisio,	Varnier,
Esler,	Johnson, A. W.,	Piper,	Whittaker,
Foerster,	Kelly,	Prendergast,	Williams, A. D.,
Fox,	Klein,	Price,	Zember,
Gelfand,	McInroy,	Sakulsky,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, that the clerk inform the Senate accordingly.

REPORTS FROM COMMITTEES

Mr. McCANN from the Committee on Rules, reported as committed House bill No. 1793, entitled:

An Act reenacting and amending the act of May 21, 1943 (P. L. 340), entitled as amended, "An act empowering municipality authorities, cities of the third class, boroughs, incorporated towns and townships, adjoining each other * * *," extending the provisions of the act to counties and to local governmental units outside of the Commonwealth, changing procedure for agreements and contracts, and further regulating joint purchases.

Mr. McCANN from the Committee on Rules, reported as committed, House bill No. 1794, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), making a correction for a typographical error.

Mr. McCANN from the Committee on Rules, reported as committed, House bill No. 1796, entitled:

An Act amending the act of July 7, 1955 (P. L. 258), entitled "An act providing for anthracite mine drainage contingent on Federal aid and making an appropriation," removing certain restrictions.

Mr. McCANN from the Committee on Rules, reported as committed, House bill No. 1797, entitled:

An Act amending "The Permanent Registration Act for Cities of the Second Class, Cities of the Second Class A, Cities of the Third Class, Boroughs, Towns, and Townships," approved April 29, 1937 (P. L. 487), further regulating the days, hours and places of registration.

Mr. McCANN from the Committee on Rules, reported as committed, Senate bill No. 182, entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code," regulating the use of land for sanitary land fills by zoning.

Mr. McCANN from the Committee on Rules, reported as committed, Senate bill No. 601, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," permitting motor vehicles owned and used by certain persons engaged in collecting news to be equipped with a warning light.

Mr. McCANN from the Committee on Rules, re-reported as amended, House bill No. 313, entitled:

An Act amending the "Soil Conservation Law," approved May 15, 1945 (P. L. 547), imposing powers and duties on the commission * * * and making editorial corrections.

Mr. McCANN from the Committee on Rules, reported as committed, House Resolution No. 57.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1793, entitled:

An Act reenacting and amending the act of May 21, 1943 (P. L. 340), entitled as amended, "An act empowering municipality authorities, cities of the third class, boroughs, incorporated towns and townships, adjoining each other * * *," extending the provisions of the act to counties and to local governmental units outside of the Commonwealth, changing procedure for agreements and contracts, and further regulating joint purchases.

And said bill having been read at length the first time.

Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1794, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), making a correction for a typographical error.

And said bill having been read at length the first time.

Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1796, entitled:

An Act amending the act of July 7, 1955 (P. L. 258), entitled "An act providing for anthracite mine drainage contingent on Federal aid and making an appropriation," removing certain restrictions.

And said bill having been read at length the first time.

Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1797, entitled:

An Act amending "The Permanent Registration Act for Cities of the Second Class, Cities of the Second Class A, Cities of the Third Class, Boroughs, Towns, Townships," approved April 29, 1937 (P. L. 487), further regulating the days, hours and places of registration.

And said bill having been read at length the first time.

Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 182, entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code," regulating the use of land for sanitary land fills by zoning.

And said bill having been read at length the first time.

Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 601, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," permitting motor vehicles owned and used by certain persons engaged in collecting news to be equipped with a warning light.

And said bill having been read at length the first time.

Ordered, to be laid aside for second reading.

TIME EXTENDED ON BILL

Mr. McCANN asked and obtained unanimous consent to extend the time five days on House bill No. 640, printer's No. 1345, on page 40 of today's calendar, bills on third reading **postponed**.

BILLS AND RESOLUTIONS PASSED OVER

Mr. McCANN. Mr. Speaker, I request that all other bills and resolutions on today's calendar not acted upon be passed over.

The SPEAKER pro tempore. The Chair hears no objection.

COMMITTEE MEETINGS

COUNTIES, Mr. Cioffi, chairman, Room 131-C, Tuesday, June 27, at 11 a. m.

EDUCATION, Mrs. Reibman, chairman, Room 324, Tuesday, June 27, at 9:30 a. m.

ELECTIONS, Mr. Eilberg, chairman, Room 323, Tuesday, June 27, at 11:45 a. m.

JUDICIARY, Mr. Rudisill, chairman, Room 149, Tuesday, June 27, at 10 a. m.

STATE GOVERNMENT, Mr. Fineman, chairman, Room 522, Tuesday, June 27, at 11 a. m.

ALL TIMES ARE DAYLIGHT SAVING TIME

ANNOUNCEMENTS

Mr. McCANN. When the House convenes tomorrow at 12 o'clock noon, we will proceed to vote on many bills that were caucused on today that are controversial. When we come here tomorrow, I ask that the membership have their lunch before they come to the floor of the House because we will proceed to vote on a series of bills.

Mr. Speaker, when we break tonight I ask that the repairmen work on the public address system and correct whatever has happened. I am sure it will be working for tomorrow's session.

ADJOURNMENT

Mr. REIDENBACH. Mr. Speaker, I move that this House do now adjourn until Tuesday, June 27, 1961, at 11 a. m., e. s. t.

The motion was agreed to, and (at 3:37 p. m., e. s. t.) the House adjourned.

Legislative Journal.

Session 1961.

145th of the General Assembly.

Vol. 38.

HARRISBURG, PA., TUESDAY, JUNE 27, 1961.

No. 68.

SENATE

TUESDAY, JUNE 27, 1961.

The Senate met at 2:00 p. m., Eastern Standard Time.

The PRESIDING OFFICER (Joseph D. RIPP) in the Chair.

PRAYER

The Chaplain, Rabbi DAVID L. SILVER, Keshet Israel Congregation, Harrisburg, offered the following prayer:

Upon this distinguished legislative body, we invoke God's bountiful blessings and His unceasing guidance. May your deliberations ever be motivated by the highest interests of our Commonwealth and of our Nation, and may your decisions prove beneficial to the welfare of all our citizens.

Living as we do in an age beset with so much tension and conflict, may the One above direct you to strengthen the people's morale and to promote their fullest confidence in the ultimate triumph of justice and freedom and fair play everywhere.

Be ever blessed for your consecrated service to your fellow men. May you continue to serve with your minds alert, with your spirits strong, and with your faith unbroken. Amen.

JOURNAL APPROVED

The PRESIDING OFFICER. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WEINER and Mr. LANE, further reading was dispensed with, and the Journal was approved.

HOUSE MESSAGES

SENATE BILLS RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives being introduced, returned to the Senate **SB 65, 94 and 99**, with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bills, as amended, will be placed on the Calendar.

HOUSE CONCURS IN SENATE AMENDMENTS TO HOUSE BILLS

He also informed the Senate that the House has concurred in amendments made by the Senate to **HB 932 and 1165**.

HOUSE NONCONCURS IN SENATE AMENDMENTS TO HOUSE BILL

He also informed the Senate that the House has non-concurred in amendments made by the Senate to **HB 715**.

SENATE INSISTS UPON ITS AMENDMENTS NONCONCURRED IN BY THE HOUSE TO **HB 715**

Mr. WEINER. Mr. President, I move that the Senate do insist upon its amendments to House Bill No. 715, and that a Committee of Conference on the part of the Senate be appointed.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

HOUSE NONCONCURS IN SENATE AMENDMENTS TO HOUSE BILL

He also informed the Senate that the House has non-concurred in amendments made by the Senate to **HB 716**.

SENATE INSISTS UPON ITS AMENDMENTS NONCONCURRED IN BY THE HOUSE TO **HB 716**

Mr. WEINER. Mr. President, I move that the Senate do insist upon its amendments to House Bill No. 716, and that a Committee of Conference on the part of the Senate be appointed.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

HOUSE NONCONCURS IN SENATE AMENDMENTS TO HOUSE BILL

He also informed the Senate that the House has non-concurred in amendments made by the Senate to **HB 869**.

SENATE INSISTS UPON ITS AMENDMENTS NONCONCURRED IN BY THE HOUSE TO **HB 869**

Mr. WEINER. Mr. President, I move that the Senate do insist upon its amendments to House Bill No. 869, and that a Committee of Conference on the part of the Senate be appointed.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence **HB 301 and 1546**, which were referred the Committee on Education.

He also presented for concurrence **HB 1232**, which was referred to the Committee on Highways.

He also presented for concurrence **HB 1306, 1500, 1554, 1565, 1585 and 1586**, which were referred to the Committee on Local Government.

He also presented for concurrence **HB 1644**, which was referred to the Committee on Judiciary General.

He also presented for concurrence **HB 1769**, which was referred to the Committee on State Government.

REPORTS FROM COMMITTEE

Mr. HALUSKA, from the Committee on Local Government, reported, as committed, **SB 773, 796, HB 155, 1140 and 1451**.

BILL REREFERRED

Mr. HALUSKA, from the Committee on Local Government, returned to the Senate, **HB 371**, which was rereferred to the Committee on Elections.

The PRESIDENTING OFFICER.) The Chair announces that the Lieutenant Governor has ascended the rostrum, and the gavel is now turned over to Lieutenant Governor John Morgan Davis) in the Chair.

The PRESIDENT. Thank you, Senator Ripp, for taking my place while I was unable to be here.

GUESTS OF SENATOR CHARLES R. WEINER PRESENTED TO SENATE

Mr. WEINER. Mr. President, I would like to introduce to the Chair, and to the Members of the Senate, a group of distinguished citizens from the city of Philadelphia who live in my District. They are visting the Capitol today and are now seated in the balcony of this Chamber. They consist of a group from the Twenty-Eighth Ward Democratic Committee, which is my home ward.

The PRESIDENT. Will the ladies and gentlemen from the Twenty-Eighth Ward Democratic Committee please rise?

On behalf of the Members of the Senate, the Chair is very happy to have you as visitors to our august Senate. I hope you will enjoy your visit and I hope you will come back very often in the future.

PERSONAL PRIVILEGE

Mr. HALUSKA. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The gentleman will state it.

Mr. HALUSKA. Mr. President and Members of the Senate, I would like to have your attention because what I am about to say, I think is very important to me today. Possibly tomorrow, it may be important to one of you.

I have served in this Body for many, many years. I have served with the Majorities, with the Minorities, and now with a divided Senate. Throughout these many years, I have agreed and disagreed with many of my colleagues on bills which were controversial. The disagreements were always honest disagreements. Throughout these many years in this Chamber, I have tried to do what I thought was best for the people whom I represent. Never have I found fault with any of my colleagues when they opposed or supported certain measures.

As you all now know, it so happens that I have been chosen by my Party to be Chairman of the Committee on Local Government. Many bills come to that committee. Upon those bills my committee passes. We have tried to do a good and honest job. It also happens, Mr. President, that now in that committee there have been referred two bills, known as House Bill No. 1221 and House Bill No.

1438. These bills deal directly with the anthracite and bituminous coal strippers.

The record will show, when these bills were referred to my committee last week, that I assured you, Mr. President, my colleagues and the people of Pennsylvania, that I would start holding public hearings in order to give everyone an opportunity to be heard. It is my sincere belief that it is a fundamental right for every person to be heard. These bills may have a great effect upon the people of Pennsylvania. There are some fine people who are opposing these bills and there are some fine people who are supporting these bills.

In addition thereto, Mr. President, we have a group of hoodlums who are opposing these bills. I resent the attack and the approach which these hoodlums are making. Now it has struck back home. I shed a few tears this morning and my family is shedding tears right now.

This morning, I received a letter, postmarked Pittsburgh, 5:30 p. m. The letter reads as follows:

"6/25/61

"Sen. John J. Haluska

"Harrisburg, Penna.

"Re: Strip Mining Bill

"Believe me, Mr. Haluska, I am very close to you at home, and if you scuttle the Strip Mining Bill you are not going to know what hit you. We have tried all decent means of protecting the public interest. If you choose to serve the money-grabbing strippers instead of the people who put you in office, you will pay. Be warned.

"Disgusted Democrat"

This letter is written on unique stationery, Mr. President. I say to you that I believe I have knowledge of one or two men who have threatened my life or the life of my family. Therefore, I ask you, Mr. President, and all of my colleagues, in all common decency, to immediately summon the State Police and give me an aide to go to my office where I can take an affidavit and give them the names of the two people who I think sent out this letter. I believe the F.B.I. and the Postal Department should immediately start on their way to try to find the violators.

Mr. President, if I must die for a cause, I will die for a cause. I have no fear of dying. However, I think we have hit a new low, a very new low when any Member of this Senate has his life threatened just because he may have a difference of opinion on any piece of legislation. I do not believe this has ever happened before and I hope it will never happen again.

If I am in order, Mr. President, I am now asking you to proceed. If I am required to make a motion, I shall do so. I am hopeful that one of my colleagues, on either side, will second the motion to have the Chair take action immediately and instruct the State Police to proceed to pick up this violator.

The PRESIDENT. This will be referred to the State Police, Senator Haluska. I am very concerned about it.

REPORTS FROM COMMITTEES

Mr. SILVERT, from the Committee on Corporations, rereported, as amended, **SB 704, 705, 706 and 707**; and reported, as committed, **HB 1452, 1453, 1454, 1455 and 1456**.

Mr. MURRAY, from the Committee on Insurance, reported, as committed, **HB 1163 and 1394**; as amended, **HB 1190**.

Mr. McCREESH, from the Committee on Elections, reported, as committed, **HB 371, 1105, 1504, 1515 and 1551.**

Mr. DEVLIN, from the Committee on Judiciary General, reported, as committed, **SB 323, 418 and HB 395.**

He also, from the Committee on State Government, reported, as committed, **SB 776.**

He also, from the Committee on Labor and Industry, reported, as committed, **SB 198 and HB 257.**

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. DEVLIN, from the Committee on Executive Nominations, reported the following nominations, made by his Excellency, the Governor, which were laid on the table.

MEMBER OF THE BOARD OF TRUSTEES OF MILLERSVILLE STATE COLLEGE

June 20, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Raymond S. Hovis, R. D. 2, York, York County, for reappointment as a member of the Board of Trustees of Millersville State College, until the third Tuesday of January 1967, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF PENNSYLVANIA STATE ORAL SCHOOL FOR THE DEAF

June 21, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of the Pennsylvania State Oral School for the Deaf, until the third Tuesday of January 1967, and until their successors are appointed and qualified.

Edward Popil, 237 North Cameron Avenue, Scranton, Lackawanna County.

Joseph P. Reilly, 1720 Quincy Avenue, Dunmore, Lackawanna County.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF SELINSGROVE STATE SCHOOL

June 20, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Selinsgrove State School, until the third Tuesday of January 1967, and until their successors are appointed and qualified:

Clinton F. Bashore, Port Royal, Juniata County.

C. Olan Dimm, R. D. 2, Mifflintown, Juniata County.

W. Andrew Zendt, Mifflin, Juniata County.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF YOUTH DEVELOPMENT CENTER AT CANONSBURG

June 21, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John

Inghram Hook, Bonar Avenue, Waynesburg, Greene County for reappointment as a member of the Board of Trustees of the Youth Development Center at Canonsburg, until the third Tuesday of January 1965, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF ASHLAND STATE HOSPITAL

May 31, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Ashland State Hospital, until the third Tuesday of January 1967, and until their successors are appointed and qualified:

John F. Barrett, 510 Jefferson Street, Pottsville, Schuylkill County.

William M. Brennan, 400 North Delaware Avenue, Minersville, Schuylkill County.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF CONNELLSVILLE STATE HOSPITAL

June 19, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Paul W. Kendi, North Scottdale Avenue, Scottsdale, Westmoreland County, for reappointment as a member of the Board of Trustees of Connelville State Hospital, until the third Tuesday of January 1967, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF EMBREEVILLE STATE HOSPITAL

May 22, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Board of Trustees of Embreeville State Hospital:

George A. Pagano, 448 Glendale Circle, Springfield, Delaware County, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

Mrs. Doris B. Lyons, 717 Harrison Road, Villanova, Delaware County, until the third Tuesday of January 1963, and until her successor is appointed and qualified.

Murray J. Gass, 19 Grove Lane, Broomall, Delaware County, until the third Tuesday of January 1967, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF HOLLIDAYSBURG STATE HOSPITAL

June 21, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Hollidaysburg State Hospital:

Mrs. Greta McElhattan, R. D. 1, Port Matilda, Centre County, until the third Tuesday of January 1965, and until her successor is appointed and qualified.

Martin M. Brennan, Brisban, Clearfield County, until the third Tuesday of January 1967, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF SHAMOKIN STATE HOSPITAL

June 19, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Board of Trustees of Shamokin State Hospital, until the third Tuesday of January 1967, and until their successors are appointed and qualified:

Daniel Marnell, 17 First Street, Green Ridge, Strong, Northumberland County, vice Stanley J. Kosloski, Shamokin, whose term expired.

John M. Adamiak, 909 West Water Street, Shamokin, Northumberland County, vice Thomas J. Carr, Shamokin, whose term expired.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF SHAMOKIN STATE HOSPITAL

June 21, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Shamokin State Hospital, until the third Tuesday of January 1965, and until their successors are appointed and qualified:

Frank X. Hanley, 1710 West Chestnut Street, Shamokin, Northumberland County.

Stephen P. Jepko, 133 South Oak Street, Mount Carmel, Northumberland County.

George P. Conbeer, 945 West Independence Street, Shamokin, Northumberland County.

DAVID L. LAWRENCE.

MEMBER OF THE SCHUYLKILL COUNTY BOARD OF ASSISTANCE

May 22, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Clara Hylan (Democrat), 302 South Jardin Street, Shenandoah, Schuylkill County, for appointment as a member of the Schuylkill County Board of Assistance, until December 31, 1962, and until her successor is duly appointed and qualified, vice Martin V. McGuire, Esq., Shenandoah, resigned.

DAVID L. LAWRENCE.

MEMBER OF THE YORK COUNTY BOARD OF ASSISTANCE

June 20, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John J. Angelo (Republican), 146 Sharon Drive, York, York County, for appointment as a member of the York County Board of Assistance, until December 31, 1962, and until his successor is duly appointed and qualified, vice Mrs. Edna Blumenthal, Hanover, resigned.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

June 21, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Grace E. Ellicott, 118 North Twelfth Street, Connellsville, Fayette County, for appointment as Justice of the Peace in and for the Township of Dunbar, Fayette County, to serve until the first Monday of January 1962, vice Merle J. Fair, resigned.

DAVID L. LAWRENCE.

MEMBER OF THE STATE BOARD OF CHIROPODY EXAMINERS

June 21, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John N. Petrus, 1437 West 29th Street, Erie, Erie County, for appointment as a member of the State Board of Chiropractic Examiners, for the term of four years, and until his successor shall have been appointed and qualified, vice Ralph H. Orr, Erie, whose term expired.

DAVID L. LAWRENCE.

UNANIMOUS CONSENT GRANTED FOR IMMEDIATE CONSIDERATION OF THE CALENDAR

Mr. WEINER. Mr. President, I request unanimous consent to proceed to the consideration of today's Calendar.

The PRESIDENT. There being no objection, we will proceed to the consideration of today's Calendar.

CALENDAR

FINAL PASSAGE CALENDAR

BILLS OVER IN ORDER

HB 197 and 227—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

BILL ON FINAL PASSAGE

SB 343 (Pr. No. 362)—And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Probert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

HB 345—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

SB 493 and 687—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

HB 1082—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

THIRD READING CALENDAR

BILLS ON THIRD READING AND FINAL PASSAGE

HB 58 (Pr. No. 2398)—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarra,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

HB 59 (Pr. No. 2399)—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarra,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of

Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

BILLS OVER IN ORDER

HB 67—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

HB 95—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

SB 261—Mr. HAYS. Mr. President, I request that Senate Bill No. 261 go over in its order.

The PRESIDENT. Is there objection?

Mr. LANE. Mr. President, I am prepared and ready to debate Senate Bill No. 261 in detail today. However, it seems there are Members here who have additional amendments which they wish to offer. Therefore, I am going to agree to let the bill go over in its order today, but I must insist that tomorrow this legislation must be acted upon, because this legislation is going to protect the real estate owners of Pennsylvania from any raiding on the part of any political subdivision. I feel this is very important legislation. So, I will acquiesce and let the bill go over, but let us finish it up tomorrow.

Mr. FLEMING. Mr. President, I listened with great interest to Senator Lane's demand that this bill be acted upon tomorrow. If there are to be amendments offered tomorrow, and if tomorrow is the last day this week, then how could the bill possibly be acted upon tomorrow?

Mr. WEINER. Mr. President, I believe the gentleman had in mind that some action take place and that if amendments are offered, they should come to the floor so that they can be debated and the measure acted upon. I think it is a reasonable request that we take some action on this bill. I think that is all he had in mind.

Mr. FLEMING. Mr. President, I have no objection to the bill going over in its order. I was only questioning Senator Lane's statement that it must be acted upon tomorrow, because if the amendments are not offered until tomorrow, the bill could not possibly be acted upon tomorrow.

Mr. LANE. Mr. President, the reason I made that statement was because there have been some requests, during the past few days, with reference to this legislation going over in order.

I think the opposition is trying to put this bill over in order and eventually kill this legislation. I am willing and ready to debate any amendments which may be offered. However, should they be rejected, I am hoping that we can call the bill up and eventually have it passed.

If we are going to work just three days and if we dispose of the amendments tomorrow, of course, we can do the final work on Monday. That is the way I wished to express myself.

The PRESIDENT. There being no objection, the bill will go over in its order.

SB 322—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILL ON THIRD READING AND FINAL PASSAGE

SB 342 (Pr. No. 861)—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. HAYS. Mr. President, I desire to be recorded as voting "aye."

The PRESIDENT. The gentleman will be so recorded.

Mr. WEINER. Mr. President, may we be at ease a moment?

(The Senate was at ease.)

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—26

Camie!,	Lane,	Mullin,	Seyler,
Devlin,	Mahady,	Murray,	Silvert,
DiSilvestro,	Mallery,	Pechan,	Staisey,
Donolow,	McCreesh,	Ripp,	Stiefel,
Haluska,	McGinnis,	Sarra!,	Weiner,
Hays,	McMenamin,	Sesler,	Yatron,
Kalman,	Miller,		

NAYS—22

Bell,	Hawbaker,	Scott,	Van Sant,
Berger,	Keller,	Shafer,	Wade,
Chapman,	Kessler,	Stevenson,	Wagner,
Confair,	Kromer,	Stroup,	Ware, III,
Flack,	Madigan,	Taylor,	Wolfe,
Fleming,	Propert,		

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

SB 344 and 345—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

SB 351—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILLS ON THIRD READING AND FINAL PASSAGE

SB 435 (Pr. No. 470)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—26

Berger,	Lane,	Pechan,	Silvert,
Camie!,	Mahady,	Ripp,	Staisey,
Devlin,	McGinnis,	Sarra!,	Stiefel,
DiSilvestro,	McMenamin,	Scott,	Van Sant,
Donolow,	Miller,	Sesler,	Weiner,
Haluska,	Mullin,	Seyler,	Yatron,
Kalman,	Murray,		

NAYS—21

Bell,	Hays,	Mallery,	Taylor,
Chapman,	Keller,	McCreesh,	Wade,
Confair,	Kessler,	Propert,	Wagner,
Flack,	Kromer,	Shafer,	Ware, III,
Fleming,	Madigan,	Stevenson,	Wolfe,
Hawbaker,			

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

HB 445 (Pr. No. 484)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camie!,	Keller,	Pechan,	Stiefel,
Chapman,	Kromer,	Propert,	Stroup,
Confair,	Lane,	Ripp,	Taylor,
Devlin,	Madigan,	Rooney,	Van Sant,
DiSilvestro,	Mahady,	Sarra!,	Wade,
Donolow,	Mallery,	Scott,	Wagner,
Ehrgood,	McCreesh,	Sesler,	Ware, III,
Flack,	McGinnis,	Seyler,	Weiner,
Fleming,	McMenamin,	Shafer,	Wolfe,
Haluska,	Miller,	Silvert,	Yatron,
Hawbaker,			

NAYS—1

Kessler,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 455 (Pr. No. 1360)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camie!,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarra!,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

SB 496—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILLS ON THIRD READING AND FINAL PASSAGE

SB 498 (Pr. No. 549)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. BELL. Mr. President, having voted under a misapprehension, I wish to change my vote from "no" to "aye."

The PRESIDENT. The gentleman will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37

Bell,	Hays,	Miller,	Stalsey,
Berger,	Kalman,	Mullin,	Stevenson,
Camiel,	Keller,	Murray,	Stiefel,
Chapman,	Lane,	Ripp,	Taylor,
Devlin,	Mahady,	Scott,	Van Sant,
DiSilvestro,	Mallery,	Sesler,	Wagner,
Donolow,	McCreesh,	Seyler,	Ware, III,
Flack,	McGinnis,	Shafer,	Weiner,
Fleming,	McMenamin,	Silvert,	Yatron,
Haluska,			

NAYS—7

Hawbaker,	Kromer,	Propert,	Wolfe,
Kessler,	Madigan,	Wade,	

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SB 531 (Pr. No. 588)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

SB 610—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILL ON THIRD READING AND FINAL PASSAGE

SB 614 (Pr. No. 702)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—30

Berger,	Kessler,	Mullin,	Silvert,
Camiel,	Lane,	Murray,	Stalsey,
Devlin,	Mahady,	Pechan,	Stevenson,
DiSilvestro,	Mallery,	Ripp,	Stiefel,
Donolow,	McCreesh,	Scott,	Van Sant,
Haluska,	McGinnis,	Sesler,	Weiner,
Hays,	McMenamin,	Seyler,	Yatron,
Kalman,	Miller,		

NAYS—15

Bell,	Fleming,	Madigan,	Wagner,
Chapman,	Hawbaker,	Propert,	Ware, III,
Confair,	Keller,	Shafer,	Wolfe,
Flack,	Kromer,	Taylor,	

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

STATEMENT BY THE CHAIR

The PRESIDENT. The Chair wishes to advise the Senate that he is turning the letter, which was received by Senator Haluska today, over to the State Police, who are receiving it in the presence of the Senate. The Senate must be protected at all times.

THIRD READING CALENDAR

BILLS OVER IN ORDER

SB 615—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

SB 646—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILL ON THIRD READING AND FINAL PASSAGE

SB 664 (Pr. No. 774)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. SILVERT. Mr. President, having voted under a misapprehension, I desire to change my vote from "no" to "aye."

The PRESIDENT. The gentleman will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—27

Berger,	Keller,	Mullin,	Silvert,
Camiel,	Lane,	Murray,	Stalsey,
DiSilvestro,	Mahady,	Pechan,	Stiefel,
Donolow,	Mallery,	Ripp,	Van Sant,
Flack,	McCreesh,	Scott,	Wagner,
Haluska,	McMenamin,	Sesler,	Yatron,
Kalman,	Miller,	Shafer,	

NAYS—15

Bell,	Hays,	McGinnis,	Ware, III,
Chapman,	Kessler,	Propert,	Weiner,
Devlin,	Kromer,	Seyler,	Wolfe,
Hawbaker,	Madigan,	Stevenson,	

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

SB 688 and 690—Without objection, the bills were passed over in their order at the request of Mr. HAYS.

BILL ON THIRD READING AND FINAL PASSAGE

SB 716 (Pr. No. 964)—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarra,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SB 760 (Pr. No. 906)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarra,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SB 789 (Pr. No. 965)—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. MAHADY. Mr. President, I desire to be recorded as voting "no."

The PRESIDENT. The gentleman will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,

DiSilvestro,	Madigan,	Sarra,	Wade,
Donolow,	Mallery,	Scott,	Wagner,
Ehrgood,	McCreesh,	Sesler,	Ware, III,
Flack,	McGinnis,	Seyler,	Weiner,
Fleming,	McMenamin,	Shafer,	Wolfe,
Haluska,	Miller,	Silvert,	Yatron,
Hawbaker,			

NAYS—1

Mahady,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

SB 790, HB 1139 and 1181—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

BILL ON THIRD READING AND FINAL PASSAGE

HB 1213 (Pr. No. 1386)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarra,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 1293 (Pr. No. 2401)—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarra,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

HB 1344 (Pr. No. 2217)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraff,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

HB 1367 (Pr. No. 2402)—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. BERGER. Mr. President, this bill appeared on the Calendar and was amended to take out the amendments which were placed in the bill in committee when the bill was being considered.

The bill probably has some merit to it. However, I would like the opportunity to study those amendments and see why the penalties were increased after the committee amendments. If the gentleman wishes to run the bill under those conditions, I am willing to do so. However, I would suggest that we put the bill over in its order so that we can find out why the penalties were increased.

Mr. WEINER. Mr. President, I know a suggestion when I hear one. I will ask that the bill go over in its order.

The PRESIDENT. There being no objection, House Bill No. 1367 will go over in its order on Third Reading.

BILL ON THIRD READING AND FINAL PASSAGE

HB 1407 (Pr. No. 2403)—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraff,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

HB 1460 (Pr. No. 1924)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraff,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 1468 (Pr. No. 1801)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraff,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING POSTPONED

SB 295 (Pr. No. 311)—Mr. LANE. Mr. President, call up Senate Bill No. 295 from the Third Reading Postponed Calendar.

The PRESIDENT. Is there objection?

Mr. BERGER. Mr. President, I certainly do not object to the calling up of this bill. However, one of our Members, who was interested in this bill, is absent on a matter that he could not possibly avoid. For that reason, I would suggest that the bill remain where it is on the Postponed Calendar until he returns. If not, I suggest that it be passed on Third Reading and placed on the Final Passage Calendar. I do not care which, but there is no use dealing with it that way as long as we can leave it on the Postponed Calendar.

Mr. LANE. Mr. President, may we be at ease a moment? The PRESIDENT. We may be at ease.

(The Senate was at ease.)

Mr. LANE. Mr. President, I yield to Senator Berger. I have called up Senate Bill No. 295, Printer's No. 311, and I now yield to Senator Berger.

Mr. BERGER. Mr. President, at this time, I join in the request, to call up this bill.

The PRESIDENT. There being no objection, Senate Bill No. 295 is now called up from the Third Reading Postponed Calendar.

BILL ON THIRD READING AND FINAL PASSAGE

SB 295 (Pr. No. 311)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Probert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL INTRODUCED AND REFERRED

Messrs. SILVERT, McMENAMIN and BERGER, by unanimous consent, presented to the Chair **SB 823**, entitled:

An Act amending the act of June 15, 1961 (Act No. 207), entitled "Inheritance and Estate Tax Act of 1951," making

a continuing appropriation for the payment of refunds of taxes to which the Commonwealth is not rightfully or equitably entitled.

Which was committed to the Committee on Judiciary General.

The PRESIDENT. At this time, the Chair will turn the gavel over to the gentleman from Lackawanna County, Senator McMenamin.

The PRESIDING OFFICER (Hugh J. McMenamin) in the Chair.

SECOND READING CALENDAR

BILLS OVER IN ORDER

SB 23 and **HB 53**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

BILLS ON SECOND READING

SB 129 (Pr. No. 129) and **SB 131 (Pr. No. 131)**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS REREFERRED

SB 225 (Pr. No. 233)—Upon motion of Mr. WEINER, seconded by Mr. LANE, and agreed to, the bill was referred to the Committee on Appropriations.

SB 238 (Pr. No. 249)—Upon motion of Mr. WEINER, seconded by Mr. LANE, and agreed to, the bill was rereferred to the Committee on Appropriations.

BILLS OVER IN ORDER

SB 353, 375 and **473**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

BILLS ON SECOND READING AMENDED

SB 477 (Pr. No. 976)—The first, second, third, fourth, fifth, sixth, seventh and eighth sections were read and agreed to.

The ninth section was read.

On the question,

Will the Senate agree to the section?

Mr. MAHADY offered the following amendments:

Amend Sec. 9, page 11, line 10, by striking out "and section 620."

Amend Sec. 9, page 12, lines 11 to 20; page 13, lines 1 to 19; page 14, lines 1 to 12, by striking out all of said lines.

They were agreed to.

The section was agreed to as amended.

The tenth and eleventh sections were read and agreed to.

The twelfth section was read.

On the question,

Will the Senate agree to the section?

Mr. MAHADY. Mr. President, I would also like to offer the following amendments which are clerical amendments, requested by the Department.

The PRESIDING OFFICER. The Clerk will read the amendment to Section 12.

The amendment was read by the Clerk as follows:

Amend Sec. 12, page 18, lines 4 to 14, by striking out all of said lines.

It was agreed to.

The section was agreed to as amended.
 The thirteenth section was read.
 On the question,
 Will the Senate agree to the section?
 Mr. MAHADY offered the following amendment:

Amend Sec. 13, page 18, line 15, by striking out
 "13" and inserting: 12

It was agreed to.
 The section was agreed to as amended.
 The fourteenth section was read.
 On the question,
 Will the Senate agree to the section?
 Mr. MAHADY offered the following amendment:

Amend Sec. 14, page 20, line 16, by striking out
 "14" and inserting: 13

It was agreed to.
 The section was agreed to as amended.
 The fifteenth section was read.
 On the question,
 Will the Senate agree to the section?
 Mr. MAHADY offered the following amendment:

Amend Sec. 15, page 22, line 1, by striking out
 "15" and inserting: 14

It was agreed to.
 The section was agreed to as amended.
 The sixteenth section was read.
 On the question,
 Will the Senate agree to the section?
 Mr. MAHADY offered the following amendment:

Amend Sec. 16, page 28, line 13, by striking out
 "16" and inserting: 15

It was agreed to.
 The section was agreed to as amended.
 The seventeenth section was read.
 On the question,
 Will the Senate agree to the section?
 Mr. MAHADY offered the following amendment:

Amend Sec. 17, page 29, line 16, by striking out
 "17" and inserting: 16

It was agreed to.
 The section was agreed to as amended.
 The eighteenth section was read.
 On the question,
 Will the Senate agree to the section?
 Mr. MAHADY offered the following amendment:

Amend Sec. 16, page 30, lines 6 to 19; page 31,
 lines 1 to 19; page 32, lines 1 and 2, by striking out
 all of said lines.

It was agreed to.
 The section was agreed to as amended.
 The nineteenth section was read.
 On the question,
 Will the Senate agree to the section?
 Mr. MAHADY offered the following amendment:

Amend Sec. 19, page 32, line 3, by striking out
 "19" and inserting: 17

It was agreed to.
 The section was agreed to as amended.
 The title was read.

On the question,
 Will the Senate agree to the title?
 Mr. MAHADY offered the following amendments:

Amend Title, page 2, next to last line of Title,
 by inserting after "shareholders": and
 Amend Title, page 2, last two lines of Title, by
 striking out "and authorizing additional types of
 collateral for mortgage loans."

They were agreed to.
 The title was agreed to as amended.
 Without objection, the bill, as amended, was passed over
 in its order at the request of Mr. MAHADY.
HB 519 (Pr. No. 2400)—The first section was read.
 On the question,
 Will the Senate agree to the section?
 Mr. RIPP offered the following amendment:

Amend Sec. 1 (Sec. 624.1), page 4, lines 7, 8 and
 9, by striking out all of said lines.

It was agreed to.
 The section was agreed to as amended.
 The title was read and agreed to.
 And said bill having been read at length the second
 time, and agreed to as amended,
 Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

SB 536—Without objection, the bill was passed over in
 its order at the request of Mr. LANE.

BILL ON SECOND READING

SB 576 (Pr. No. 650)—Read at length the second time
 and agreed to,
 Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

SB 598—Without objection, the bill was passed over in
 its order at the request of Mr. BERGER.

SB 611 and 613—Without objection, the bills were passed
 over in order at the request of Mr. LANE.

BILL ON SECOND READING

SB 620 (Pr. No. 708)—Read at length the second time
 and agreed to,
 Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

SB 644, 672 and 692—Without objection, the bills were
 passed over in their order at the request of Mr. LANE.

SB 715—Without objection, the bill was passed over in
 its order at the request of Mr. BERGER.

BILL ON SECOND READING

HB 722 (Pr. No. 2371)—Read at length the second time
 and agreed to,
 Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

SB 741—Without objection, the bill was passed over in
 its order at the request of Mr. BERGER.

BILLS ON SECOND READING AMENDED

SB 746 (Pr. No. 977)—The first, second, third and fourth
 sections were read and agreed to.

The fifth section was read.

On the question,

Will the Senate agree to the section?

Mr. YATRON offered the following amendment:

Amend Sec. 5, page 6, line 2 by inserting after "statement": in a form prescribed by the Secretary of Agriculture.

It was agreed to.

The section was agreed to as amended.

The sixth, seventh, eighth, ninth, tenth and eleventh sections and title were read and agreed to.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

SB 747 (Pr. No. 953)—The first section was read.

On the question,

Will the Senate agree to the section?

Mr. KROMER offered the following amendments:

Amend Sec. 1, page 2, line 18, by striking out "five" and inserting:

six

Amend Sec. 1, page 3, line 10, by striking out "five" and inserting:

six

Amend Sec. 1, page 4, line 2, by striking out "five" and inserting:

six

Amend Sec. 1, page 4, line 9, by striking out "five" and inserting:

six

They were agreed to.

The section was agreed to as amended.

The second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh and twelfth sections and title were read and agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. BERGER.

BILLS OVER IN ORDER

HB 754 and 755—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

BILLS ON SECOND READING

SB 768 (Pr. No. 916), and HB 837 (Pr. No. 1957)—Read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

HB 853—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILL ON SECOND READING

HB 880 (Pr. No. 2011)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

HB 1025, 1075, 1085, 1098, 1099 and 1101—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

BILL RECOMMITTED

HB 1150 (Pr. No. 2350)—Upon motion of Mr. LANE, seconded by Mr. SESLER, and agreed to, the bill was

recommitted to the Committee on Local Government for further study and possible amendment.

BILLS OVER IN ORDER

HB 1174 and 1178—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

BILLS ON SECOND READING

HB 1212 (Pr. No. 1385), HB 1241 (Pr. No. 1829), HB 1346 (Pr. No. 1592), HB 1347 (Pr. No. 1593), HB 1350 (Pr. No. 1596), and HB 1353 (Pr. No. 1599)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

HB 1402 and 1414—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

BILL ON SECOND READING

HB 1447 (Pr. No. 2170)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

HB 1496—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILLS ON FIRST READING

Mr. LANE. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. DEVLIN. Mr. President, I second the motion.

The motion was agreed to.

The bills were as follows:

SB 198, 323, 418, 773, 776, 796, HB 155, 257, 371, 395, 1105, 1140, 1163, 1190, 1394, 1451, 1452, 1453, 1454, 1455, 1456, 1504, 1515 and 1551.

And said bills having been read at length for the first time,

Ordered, To be laid aside for second reading.

REGULAR ORDER OF BUSINESS RESUMED

The PRESIDING OFFICER. Consideration of today's Calendar being completed, we will now revert to the regular order of business.

PERMISSION TO ADDRESS SENATE

Mr. MAHADY asked and obtained unanimous consent to address the Senate.

Mr. MAHADY. Mr. President, the shoemaker is a lowly calling. We exempt from the sales tax all clothing, including shoes. However, the shoemaker is required not only to keep books, but to pay the sales tax on the materials that he uses in repairing shoes.

We also know that in times of depression or recession, the shoemaker does more work because the people are poorer, and instead of buying new shoes, they have the old ones repaired. Therefore, I am about to introduce a bill, exempting from the sales tax the materials that a shoemaker places on shoes. As you know, the Act requires him to charge the sales tax not only on his materials, but on his labor also.

BILLS INTRODUCED AND REFERRED

Mr. MAHADY presented to the Chair **SB 824**, entitled:

An Act amending the act of March 6, 1956 (P. L. 1228), entitled, as amended, "Selective Sales and Use Tax Act," excluding from the tax materials and supplies used or consumed in the repairing of shoes.

Which was committed to the Committee on Finance.

Mr. DEVLIN, on behalf of Messrs. MILLER, YATRON and HALUSKA presented to the Chair **SB 825**, entitled:

An Act fixing the number of Senators in the General Assembly of the State; apportioning the State into senatorial districts as provided by the Constitution; providing for the election of and the term of office of the present and future elected Senators; and repealing inconsistent laws in respect thereto.

Which was committed to the Committee on Reapportionment.

SENATE CONCURRENT RESOLUTION

WEEKLY ADJOURNMENT

Mr. MULLIN offered the following resolution, which was read, considered and adopted:

In the Senate, June 27, 1961.

RESOLVED (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene Thursday, July 6, 1961, at a time to be fixed by the Senate; and when the House of Representatives adjourns this week, it reconvene Monday, July 10, 1961, at a time to be fixed by the House, unless sooner recalled by the Speaker of the House of Representatives.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

SENATE RESOLUTION

TRIBUTE TO THE LATE

DOCTOR ROBERT ARCHIBALD MATTHEWS

Mr. PECHAN. Mr. President, on behalf of my colleagues, Senator Donolow and Senator Stiefel, and myself, I am about to offer a resolution (Serial No. 76).

Last week, you will recall, when we were speaking about mental health, that I mentioned the name of Doctor Robert Matthews, who was a professor of psychiatry and at one time was the Mental Health Commissioner of Pennsylvania.

I would like to read this resolution, if I may:

In the Senate, June 27, 1961.

The citizenry of Pennsylvania mourns the untimely death of Dr. Robert Archibald Matthews, Professor of Psychiatry of Jefferson Medical College and first statutory Commissioner of Mental Health of Pennsylvania, who was killed last week in an automobile accident, as a result of negligence on the part of a careless driver.

Dr. Matthews' memory will remain enshrined in the hearts of his fellow men for his unexcelled dedication to the cause of mental health in Pennsylvania which he so superbly and devotedly espoused.

The highlights of his rise in the world of medicine and service to Pennsylvania, are as follows:

Dr. Matthews was born at Johnstown, Pennsylvania on March 31, 1903; Graduated from Jef-

ferson Medical College in 1928; Interned at Philadelphia General Hospital 1928-1930; Psychiatric resident at Philadelphia Hospital for Mental Diseases 1930-1931; Post graduate training at the Institute of the Pennsylvania Hospital at Philadelphia 1935-1936; Professor at Jefferson Medical College 1939-1942; Professor of Psychiatry at Louisiana State College 1950-1956; First statutory Commissioner of Mental Health—appointed September 1, 1956, until July 18, 1958; Most recently Professor of Psychiatry and head of the Psychiatric Department of Jefferson Medical College.

As a member of the renowned faculty of the Jefferson Medical College of Philadelphia, Dr. Matthews was beloved and held in high regard by the leadership of Jefferson Medical College, by the entire membership of the faculty thereof and by the student body of that great Seat of Medical Learning, which has issued, in the presence of Dr. Matthews only two weeks ago, the twenty thousandth (20,000th) diploma since its establishment.

With the demise of Dr. Matthews, Pennsylvania lost a great son, who was in the very vanguard of scientific progress and medical education.

BE IT THEREFORE RESOLVED, That the Senate of the General Assembly of Pennsylvania express its condolences to the widow of the deceased, Mary Matthews, and the family of Dr. Matthews, as well as to the faculty and Dean William A. Sodeman of the Jefferson Medical College.

BE IT FURTHER RESOLVED, that the Secretary of the Senate forward copies of this resolution, following its adoption, to Mrs. Mary Matthews, wife of the deceased and to Dr. William A. Sodeman, Dean of Jefferson Medical College.

Mr. President, I ask for the immediate adoption of this resolution.

On the question,

Will the Senate adopt the resolution?

The resolution was adopted.

BIRTHDAY FELICITATIONS EXTENDED TO SENATOR CHARLES R. WEINER

Mr. BERGER. Mr. President, this is in the form of a verbal resolution but nevertheless, properly belongs under this order of business.

Mr. President, today, June 27th, has a special significance for a particular Member of this Senate and to all of the Members of the Senate, because on this date we were regaled in the office of the Majority Leader, Senator Weiner, with a birthday cake and accompaniments.

On behalf of all of the Members of the Senate, Mr. President, it is a very pleasant duty to offer to Senator Weiner our heartiest congratulations on the birthday which, I understand, is a permanent fixture in the lives of most men, his thirty-ninth birthday.

The PRESIDING OFFICER. The Chair heartily agrees, and thirty-nine year old Senator Weiner is recognized.

Mr. WEINER. Mr. President, I want to thank Senator Berger and all of the Members of this Senate. I do not know when I had a more pleasant birthday. I was perfectly willing to forget all about it and leave it go unnoticed, but my friends and some of the people who are close to me would not let me forget it. I am very happy that they did not. I enjoyed it very thoroughly. It has been a very pleasant day.

I hope all of you are here next year to help me celebrate it again. Thank you.

EXECUTIVE NOMINATIONS

EXECUTIVE SESSION

A motion was made by Mr. DEVLIN, and Mr. STASEY. That the Senate do now resolve itself into Executive Session for the purpose of considering certain nominations made by the Governor.

Which was agreed to.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. DEVLIN asked and obtained unanimous consent for immediate consideration of the nominations made by His Excellency, the Governor, and reported from committee at today's Session.

NOMINATIONS TAKEN FROM THE TABLE

Mr. DEVLIN. Mr. President, I call from the table for consideration the nominations reported from committee today.

The PRESIDING OFFICER. The Clerk will read the nominations.

The nominations were read by the Clerk as follows:

MEMBER OF THE BOARD OF TRUSTEES OF
MILLERSVILLE STATE COLLEGE

June 20, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Raymond S. Hovis, R. D. 2, York, York County, for reappointment as a member of the Board of Trustees of Millersville State College, until the third Tuesday of January 1967, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF
PENNSYLVANIA STATE ORAL SCHOOL
FOR THE DEAF

June 21, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of the Pennsylvania State Oral School for the Deaf, until the third Tuesday of January 1967, and until their successors are appointed and qualified:

Edward Popil, 237 North Cameron Avenue, Scranton, Lackawanna County.

Joseph P. Reilly, 1720 Quincy Avenue, Dunmore, Lackawanna County.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF
SELINGROVE STATE SCHOOL

June 20, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Selingsrove State School, until the third Tuesday of January 1967, and until their successors are appointed and qualified:

Clinton F. Bashore, Port Royal, Juniata County.

C. Olan Dimm, R. D. 2, Mifflintown, Juniata County.

W. Andrew Zendt, Mifflin, Juniata County.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF
YOUTH DEVELOPMENT CENTER AT CANONSBURG

June 21, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John Inghram Hook, Bonar Avenue, Waynesburg, Greene County, for reappointment as a member of the Board of Trustees of the Youth Development Center at Canonsburg, until the third Tuesday of January 1965, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF
ASHLAND STATE HOSPITAL

May 31, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Ashland State Hospital, until the third Tuesday of January 1967, and until their successors are appointed and qualified:

John F. Barrett, 510 Jefferson Street, Pottsville, Schuylkill County.

William M. Brennan, 400 North Delaware Avenue, Minersville, Schuylkill County.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF
CONNELLVILLE STATE HOSPITAL

June 19, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Paul W. Kendi, North Scottsdale Avenue, Scottsdale, Westmoreland County, for reappointment as a member of the Board of Trustees of Connellville State Hospital until the third Tuesday of January 1967, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF
EMBREEVILLE STATE HOSPITAL

May 22, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Board of Trustees of Embreeville State Hospital:

George A. Pagano, 448 Glendale Circle, Springfield, Delaware County, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

Mrs. Doris B. Lyons, 717 Harrison Road, Villanova, Delaware County, until the third Tuesday of January 1963, and until her successor is appointed and qualified.

Murray J. Gass, 19 Grove Lane, Broomall, Delaware County, until the third Tuesday of January 1967, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF
HOLLIDAYSBURG STATE HOSPITAL

June 21, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to

nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Hollidaysburg State Hospital:

Mrs. Greta McElhattan, R. D. 1, Port Matilda, Centre County, until the third Tuesday of January 1965, and until her successor is appointed and qualified.

Martin M. Brennan, Brisbin, Clearfield County, until the third Tuesday of January 1967, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF SHAMOKIN STATE HOSPITAL

June 19, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Board of Trustees of Shamokin State Hospital, until the third Tuesday of January 1967, and until their successors are appointed and qualified:

Daniel Marnell, 17 First Street, Green Ridge, Strong, Northumberland County, vice Stanley J. Kosloski, Shamokin, whose term expired.

John M. Adamiak, 909 West Water Street, Shamokin, Northumberland County, vice Thomas J. Carr, Shamokin, whose term expired.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF SHAMOKIN STATE HOSPITAL

June 21, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Shamokin State Hospital, until the third Tuesday of January 1965, and until their successors are appointed and qualified:

Frank X. Hanley, 1710 West Chestnut Street, Shamokin, Northumberland County.

Stephen P. Jepko, 133 South Oak Street, Mount Carmel, Northumberland County.

George P. Conbeer, 945 West Independence Street, Shamokin, Northumberland County.

DAVID L. LAWRENCE.

MEMBER OF THE SCHUYLKILL COUNTY BOARD OF ASSISTANCE

May 22, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Clara Hylan (Democrat), 302 South Jardin Street, Shenandoah, Schuylkill County, for appointment as a member of the Schuylkill County Board of Assistance, until December 31, 1962, and until her successor is duly appointed and qualified, vice Martin V. McGuire, Esq., Shenandoah, resigned.

DAVID L. LAWRENCE.

MEMBER OF THE YORK COUNTY BOARD OF ASSISTANCE

June 20, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John J. Angelo (Republican), 146 Sharon Drive York, York

County, for appointment as a member of the York County Board of Assistance, until December 31, 1962, and until his successor is duly appointed and qualified, vice Mrs. Edna Blumenthal, Hanover, resigned.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

June 21, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Grace E. Ellicott, 118 North Twelfth Street, Connellsville, Fayette County, for appointment as Justice of the Peace in and for the Township of Dunbar, Fayette County, to serve until the first Monday of January 1962, vice Merle J. Fair, resigned.

DAVID L. LAWRENCE.

MEMBER OF THE STATE BOARD OF CHIROPODY EXAMINERS

June 21, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John N. Petrus, 1437 West 29th Street, Erie, Erie County, for appointment as a member of the State Board of Chiropractic Examiners, for the term of four years, and until his successor shall have been appointed and qualified, vice Ralph H. Orr, Erie, whose term expired.

DAVID L. LAWRENCE.

On the question,

Will the Senate advise and consent to the nominations?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Murray,	Stevenson,
Berger,	Kalman,	Pechan,	Stiefel,
Camel,	Keller,	Propert,	Stroup,
Chapman,	Kessler,	Ripp,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarraf,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	Miller,	Stalsey,	McMenamin,
Hawbaker,	Mullin,		Presiding Officer

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. DEVLIN. Mr. President, I move that the Executive Session do now rise.

Mr. MURRAY. Mr. President, I second the motion.

The motion was agreed to.

PETITIONS AND REMONSTRANCES

Mr. HAYS. Mr. President and Members of the Senate, I think I should call your attention to some things which go on outside of the Senate Chamber at this time.

I think there are some people in the Commonwealth who fear that we are overexpanding and overbuilding the

educational institutions of Pennsylvania. These people are probably in the minority.

I want to call your attention to two newspaper articles. One is from Washington, D. C., and reads as follows:

"The nation continues to have a bumper crop of babies.

"More were born during the first four months of 1961 than ever before during the comparable period, the Public Health Service estimated Monday.

"The total reached an estimated 1,382,000 registered births during the four months. The old record was 1,362,000 in 1959 and last year there was a drop to 1,340,000."

I also want to call to your attention another newspaper article which appeared in the Raleigh Times, Raleigh, North Carolina. This article is dated June 14, and reads as follows:

"The state's \$1 billion plus budget for the biennium 1961-63—carrying the largest appropriation for education in history—passed into law Tuesday.

"The public school budget alone represents 27.7 per cent of the general fund expenditures and includes a 21.8 per cent raise for teachers, 1,400 additional teachers, additional clerical assistance, a program of in-service training for teachers and a permanent organization of the Curriculum Study Commission.

"The major item in the public school budget is \$70 million to finance a pay raise for teachers.

"Other major items in the budget:

"Higher education, \$56 million, with the Con-

solidated University getting \$36 million. Funds are included to provide for an approximate 10 per cent raise in faculty salaries."

ANNOUNCEMENTS BY THE SECRETARY

The following announcements were read by the Secretary of the Senate:

COMMITTEE MEETINGS WEDNESDAY, JUNE 28, 1961

Eastern Daylight

Saving Time	COMMITTEE	ROOM
10:00 A. M.	EDUCATION	302
11:00 A. M.	LAW AND ORDER	535A

NOTICE

The Committee on Local Government will hold a Public Hearing on Thursday, June 6, 1961, at 2:00 p. m., Daylight Saving Time in the Democratic Caucus Room on House Bill 1221 and 1438.

ADJOURNMENT

Mr. WEINER. Mr. President, I move that the Senate do now adjourn until Wednesday, June 28, 1961, at 10:30 a.m., Eastern Standard Time.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 4:27 p.m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

TUESDAY, June 27, 1961

The House met at 11 a.m., e. s. t.

The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

Heavenly Father, as Thou dost grant to us the peace which passeth all understanding, and dost inspire us with the truths of Thy Word; we humbly pray that Thou wilt so take possession of the hearts and minds of these dedicated servants of Thine that they will not only call upon Thee, but will rest in the assurance of Thy motivation and will carry through in the assignment which Thou dost place before them. In Thy dear name. Amen.

PHILADELPHIANS WELCOMED

The SPEAKER. The Chair notes the presence in the gallery of a delegation of citizens, some 25, from Philadelphia. They are the guests of the gentleman from Philadelphia, Mr. Riley.

JOURNAL APPROVED

The SPEAKER. Are there any corrections to the Journal of Monday, June 5, 1961? If not, and without objection, the Journal is approved.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Monday, June 26, 1961, will be postponed until printed.

The Chair hears none.

BILLS INTRODUCED AND REFERRED

By Messrs. SCARCELLI, CAPITOLO

and McKEEVER.

HOUSE BILL No. 1806.

An Act amending the "Pennsylvania Labor Relations Act," approved June 1, 1937 (P. L. 1168), changing the definition of "employer."

Referred to the Committee on Labor Relations.

By Mrs. REIBMAN, Messrs. ANDREWS,

J. H. GOLDSTEIN and DONALDSON.

HOUSE BILL No. 1807.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), changing certain definitions, providing additional definitions, changing basis for reimbursement by the Commonwealth on certain accounts, consolidating certain provisions, further providing for reimbursement by the Commonwealth to school districts and vocational school districts, providing payments for specialized services and harmonizing language of existing law.

Referred to the Committee on Education.

By Mrs. REIBMAN, Messrs. ANDREWS, DAVIS

and DONALDSON.

HOUSE BILL No. 1808.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), changing minimum salaries for professional employees and the number and amount of increments and fixing the minimum number of days schools shall be open and teachers shall be employed.

Referred to the Committee on Education.

REPORTS FROM COMMITTEE

Mrs. S. A. ANDERSON from the Committee on State Government, reported as amended, House bill No. 1001, entitled:

An Act amending "The Realty Transfer Tax Act," approved December 27, 1951 (P. L. 1742), redefining documents so as to exclude certain transfers from industrial development agencies.

Mrs. PASHLEY from the Committee on State Government, reported as amended, House bill No. 1003, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), imposing powers and duties on the Department of Forests and Waters relative to parks established by political subdivisions.

Mr. POLASKI from the Committee on State Government, reported as committed, House bill No. 204, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to acquire the Wolf Academy in East Allen Township, Northampton County; providing for its restoration, improvement, future care and maintenance as an historical site and making an appropriation.

Mr. ISAACS from the Committee on Judiciary, reported as committed, House bill No. 260, entitled:

An Act amending the act of July 20, 1917 (P. L. 1158), entitled "An act to fix, regulate, and establish the fees to be charged and received by constables in this Commonwealth," increasing the fees in certain cases.

Mrs. PASHLEY from the Committee on State Government, reported as committed, House bill No. 1206, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), providing that enlisted members of the Pennsylvania State Police shall not be dismissed from service or reduced in rank except by action of a court martial board held upon the recommendation of the Commissioner and the Governor.

Mrs. PASHLEY from the Committee on State Government, reported as committed, House bill No. 1207, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), regulating the dismissal, suspension, demotion and reenlistment of enlisted members of the Pennsylvania State Police.

Mr. J. A. SULLIVAN from the Committee on Elections, reported as committed, House bill No. 1421, entitled:

An Act amending "The Permanent Registration Act for Cities of the Second Class, Cities of the Second Class A, Cities of the Third Class, Boroughs, Towns and Townships," approved April 29, 1937 (P. L. 487), further regulating printed or written statements of registration; imposing duties on common pleas courts with regard to registration; providing for suspension of registration in counties maintaining a reinstatement system.

Mr. E. S. WILLIAMS from the Committee on State Government, reported as committed, House bill No. 1422, entitled:

An Act providing for the establishment of pension funds or pension annuities for firemen in certain boroughs, towns and townships and the regulation and maintenance thereof; * * *

Mr. RENWICK from the Committee on State Government, reported as committed, House bill No. 1484, entitled:

An Act amending the act of May 22, 1933 (P. L. 851), entitled "An act fixing the pay and mileage of jurors and witnesses," clarifying the mileage reimbursement to jurors.

Mr. RENWICK from the Committee on State Government, reported as committed, House bill No. 1494, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey .0806 acres of land more or less situate in the City of Bethlehem, Northampton County.

Mr. POLASKI from the Committee on State Government, reported as committed, House bill No. 1495, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey .096 acres of land, more or less, situate in the city of Bethlehem, Northampton County.

Mr. DONALDSON from the Committee on State Government, reported as committed, House bill No. 1668, entitled:

An Act amending the "Vital Statistics Law of 1953," approved June 29, 1953 (P. L. 304), requiring reports of deaths to be made to County Registration Commissions.

Mr. HANKINS from the Committee on Counties, reported as committed, House bill No. 1697, entitled:

An Act amending "The County Code," approved August 9, 1955 (P. L. 323), authorizing the creation of county historical commissions to promote places of historical interest within the county.

Mr. T. F. SULLIVAN from the Committee on Elections, reported as committed, House bill No. 1790, entitled:

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333), providing for the use of different colored ballots and machine labels so as to distinguish political parties in primary elections.

Mr. KRAMER from the Committee on State Government, reported as committed, Senate bill No. 76, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929" increasing the maximum number of officers and men in the aggregate in the Pennsylvania State Police and making editorial changes.

Mr. AUKER from the Committee on Judiciary, reported as committed, Senate bill No. 222, entitled:

An Act amending the act of April 24, 1947 (P. L. 100), entitled "Estates Act of 1947" defining conveyance.

Mr. SAKULSKY from the Committee on Counties, reported as committed, Senate bill No. 380, entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code" providing that title to property by eminent domain may be vested in certain counties upon filing of a bond.

Mr. STIMMEL from the Committee on State Government, reported as committed, Senate bill No. 462, entitled:

An Act amending the act of September 8, 1959 (P. L. 846), entitled "An act providing for the destruction of certain records and papers upon petition in counties of the third and fourth classes"; removing the requirement of reproduction in counties of the third class.

Mr. LUTTY from the Committee on State Government, reported as committed, Senate bill No. 686, entitled:

An Act relating to atomic energy defining powers and duties of State departments, offices, boards, commissions and of political subdivisions in connection therewith; creating the Office of Atomic Development and prescribing its powers and duties.

Mr. FOERSTER from the Committee on State Government, reported as committed, Senate bill No. 757, entitled:

An Act amending the act of July 7, 1947 (P. L. 1368), entitled "Real Estate Tax Sale Law," requiring taxes levied for the current year to be included in the upset price at the sale of any property upon a claim absolute.

Mr. M. H. GOLDSTEIN from the Committee on Education, re-reported as amended, House bill No. 1630, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing a further limitation on the taxing authority of school districts lying in more than one county.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 204, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to acquire the Wolf Academy in East Allen Township, Northampton County; providing for its restoration, improvement, future care and maintenance as an historical site and making an appropriation.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 260, entitled:

An Act amending the act of July 20, 1917 (P. L. 1158), entitled "An act to fix, regulate, and establish the fees to be charged and received by constables in this Commonwealth," increasing the fees in certain cases.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1206, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), providing that enlisted members of the Pennsylvania State Police shall not be dismissed from service or reduced in rank except by action of a court martial board held upon the recommendation of the Commissioner and the Governor.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1207, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), regulating the dismissal, suspension, demotion and reenlistment of enlisted members of the Pennsylvania State Police.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1421, entitled:

An Act amending "The Permanent Registration Act for Cities of the Second Class, Cities of the Second Class A, Cities of the Third Class, Boroughs, Towns and Townships," approved April 29, 1937 (P. L. 487), further regulating printed or written statements of registration; im-

posing duties on common pleas courts with regard to registration; providing for suspension of registration in counties maintaining a reinstatement system.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1422, entitled:

An Act providing for the establishment of pension funds or pension annuities for firemen in certain boroughs, towns and townships and the regulation and maintenance thereof; * * *.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1484, entitled:

An Act amending the act of May 22, 1933 (P. L. 851), entitled "An act fixing the pay and mileage of jurors and witnesses," clarifying the mileage reimbursement to jurors.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1494, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey .0806 acres of land more or less situate in the City of Bethlehem, Northampton County.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1495, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey .096 acres of land, more or less, situate in the city of Bethlehem, Northampton County.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1668, entitled:

An Act amending the "Vital Statistics Law of 1953," approved June 29, 1953 (P. L. 304), requiring reports of deaths to be made to County Registration Commissions.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1697, entitled:

An Act amending "The County Code," approved August 9, 1955 (P. L. 323), authorizing the creation of county historical commissions to promote places of historical interest within the county.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1790, entitled:

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333), providing for the use of different colored ballots and machine labels so as to distinguish political parties in primary elections.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 76, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929" increasing the maximum number of officers and men in the aggregate in the Pennsylvania State Police and making editorial changes.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 222, entitled:

An Act amending the act of April 24, 1947 (P. L. 100) entitled "Estates Act of 1947" defining conveyance.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 380, entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled, "The County Code" providing that title to property by eminent domain may be vested in certain counties upon filing of a bond.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 462, entitled:

An Act amending the act of September 8, 1959 (P. L. 846), entitled "An act providing for the destruction of certain records and papers upon petition in counties of the third and fourth classes," removing the requirement of reproduction in counties of the third class.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 686, entitled:

An Act relating to atomic energy, defining powers and duties of State departments, offices, boards, commissions and of political subdivisions in connection therewith; creating the Office of Atomic Development and prescribing its powers and duties.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 757, entitled:

An Act amending the act of July 7, 1947 (P. L. 1368), entitled "Real Estate Tax Sale Law," requiring taxes levied for the current year to be included in the upset price at the sale of any property upon a claim absolute.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

BILLS RE-REFERRED

Mrs. REIBMAN from the Committee on Education, returned with the recommendation that it be re-referred to the Select Committee on Education, House bill No. 122, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), further regulating compensation for sabbatical leaves for employes of school districts.

The SPEAKER. The bill is re-referred to the Select Committee on Education.

Mrs. REIBMAN from the Committee on Education, returned with the recommendation that it be re-referred to the Select Committee on Education, House bill No. 475, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for additional increments for professional employes having thirty years of public school service.

The SPEAKER. The bill is re-referred to the Select Committee on Education.

Mrs. REIBMAN from the Committee on Education, returned with the recommendation that it be re-referred to the Select Committee on Education, House bill No. 1792, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for the election of school directors in school districts of the second, third and fourth classes by nonpartisan ballots.

The SPEAKER. The bill is re-referred to the Select Committee on Education.

RESOLUTION

CONDOLENCE

Mr. WEIDNER asked and obtained unanimous consent to offer a resolution and for its immediate consideration.

The resolution was read, considered and unanimously adopted as follows:

In the House of Representatives, June 27, 1961.

Chester A. Mohn, Sr., church and lodge worker and former member of the State Legislature from 1932 through 1934, died Saturday afternoon at his home in Shillington, Pennsylvania, at the age of 74.

He took an active interest in borough affairs, and at the age of 21 was the youngest person ever elected to the borough's school board.

He was one of the earliest members of Shillington Council No. 186, Order of Independent Americans. He also was organizer and director of the first track and field meet held in the Borough of Shillington.

An active worker in First United Church of Christ, Reading, he served for some time as an elder of the congregation and also was formerly superintendent of the primary department.

Mr. Mohn retired on June 1, 1960, as secretary-manager of the Shillington Savings and Loan Association. An

enthusiastic hunter and fisherman, he was connected with a sporting goods store for some years.

Mr. Mohn's sincerity and diversity of interests endeared him to a great number of persons in his community, and his family and friends will sorely miss his friendship and guidance; therefore, be it

Resolved, That this House of Representatives expresses the profound sorrow of its entire membership at the death of the Honorable Chester A. Mohn, Sr., and offers its sincere sympathy to his widow, Mrs. Estella M. Mohn, and to his children, Mrs. Virginia P. Cassel, of Montrose Manor, Mr. Chester A. Mohn, Jr., of Shillington, and to Mr. Daniel P. Mohn, at home; and, be it further

Resolved, That copies of this resolution be sent to Mr. Mohn's surviving widow and children.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1462, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), prohibiting the operation of motor vehicles at slow speeds upon State highways and highways under the supervision and control of turnpike commissions and providing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1617, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), providing for the issuance of temporary registration plates or markers for vehicles which are not to be registered in Pennsylvania and removing the requirement that application for annual registration plates must be made for such vehicles.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1631, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), authorizing third class cities to erect traffic signs on State highways without approval of the Secretary of Highways.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1793, entitled:

An Act reenacting and amending the act of May 21, 1943 (P. L. 340), entitled as amended, "An act empowering municipality authorities, cities of the third class, boroughs, incorporated towns and townships adjoining each other * * *"; extending the provisions of the act to counties and to local governmental units outside of the Commonwealth; changing procedure for agreements and contracts and further regulating joint purchases.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1794, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), making a correction for a typographical error.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1796, entitled:

An Act amending the act of July 1, 1955 (P. L. 258), entitled, "An act providing for anthracite mine drainage contingent on Federal aid and making an appropriation"; removing certain restrictions.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1797, entitled:

An Act amending "The Permanent Registration Act for Cities of the Second Class, cities of the Second Class A, Cities of the Third Class, Boroughs, Towns and Townships," approved April 29, 1937 (P. L. 487), further regulating the days, hours and places of registration.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 182, entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code," regulating the use of land for sanitary land fills by zoning.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 601, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," permitting motor vehicles owned and used by certain persons engaged in collecting news to be equipped with a warning light.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

PERMISSION TO ADDRESS HOUSE

The SPEAKER. At the request of the majority leader and the minority leader, the Chair now recognizes the gentleman from Butler, Mr. King.

Mr. KING. Mr. Speaker, I would like to ask the indulgence of this House for a few moments to discuss a situation which exists in western Pennsylvania.

The Department of Highways, early this year, released an order which eliminated Van Port limestone, a common

limestone found in western Pennsylvania, from its construction and maintenance programs, as related to asphalt paving.

The reason given for this action by the Department is that Van Port limestone polishes under traffic and becomes slippery when wet.

Of course this is true of all aggregates. All polish under traffic and every road in the State is less skid resistant when wet than when dry.

The ruling prohibiting Van Port limestone which has been used in road construction for at least 30 years has caused undue hardship on the producers and their employers of this industry which represents hundreds of thousands of dollars worth of plant investments.

Many road building contractors were left with the problem of finding a substitute for this material. With the low producing capacity of the steel mills, slag is not readily available. It is possible to bring in approved limestone from the State of Michigan through the Port of Erie, but the cost of transportation makes this almost prohibitive.

This leaves no alternative but to use gravel aggregates. There are only three approved sources of this material in our area. (1) The Oil City Sand and Gravel Co. The entire production is contracted for by the Interstate Amesite Co. (2) Tionesta Sand and Gravel Co. and (3) the J. K. Davidson Sand and Gravel Co. of Pittsburgh, which has benefited from this ruling more than any of the other companies.

Several weeks ago, Mr. Speaker, I asked for and received an appointment with the Honorable Park Martin. With me at the meeting were two other members of this House, the Honorable Albert McCandless and the Honorable James Willard. We were told that tests were being made on this material in Washington, D. C., through the facilities of the crushed stone producers and that employees of the Pennsylvania State Highway Department were helping conduct these tests in Washington, D. C.

It seems strange to me, Mr. Speaker, that the Pennsylvania State Highway Department does not possess the proper facilities to test every kind of road-building material.

The latest report that I have had is that according to the tests made in Washington, D. C., Van Port limestone, used with natural sand, compares favorably with other materials in the factors of safety.

If this is true, Mr. Speaker, then I would implore Mr. Park Martin to rescind this order, which I believe to have been an unfair ruling in the first place.

Also I would suggest to Mr. Martin that he send his trusted men out into the field where millions of dollars of the taxpayers' money is spent in highway construction and maintenance to investigate complaints which I have received concerning payoffs between State highway inspectors and road contractors. While they are out there, Mr. Speaker, it might be interesting for them to talk to some of the highway employees about their macing problems.

I would suggest that a complete investigation be made of the Erie Through-way. There is evidence of poorly built highways, where the shoulders were built with boulders instead of the approved base materials.

After the shoulders were completed and the guard rail installed it was necessary to take down the guard rail and build new shoulders or berms. This was done at a

very considerable expense to the taxpayers. Part of the road in the North East Township caved in because the job was not done properly. This whole section had to be replaced. A year after the road was opened it still is not completed.

An article published in the Pittsburgh Press as of June 26, 1961, quotes Walter May of the United States Congressional Highway Investigating Committee as saying "Throw a dart at the map of the United States. Wherever it hits, we can find something wrong with the road-building program."

Speaking of an investigation just concluded in New Mexico, Mr. May stated, "This is the third straight hearing in which we have shown substantial wrong-doing in three different States. There is not a State in the country where we cannot investigate and develop substantially the same information."

Mr. Martin, I implore you to see to it that we do not have need for such investigations in the great State of Pennsylvania.

Since the Pennsylvania motorist is now being forced to pay seven cents a gallon gas tax, second only to the State of Washington, which is supposed to bring in \$74 million additional money, then I am sure the members of this House will agree that the motorists of this State deserve to get the best for their money without corruption, inefficiency and waste.

Thank you.

MID-VALLEY CITIZENS ASSOCIATION WELCOMED

The SPEAKER. The Chair notes the presence in the gallery of members of the Retired Mid-Valley Citizens Association of Lackawanna County, who are here with their officers, Mr. Blaniar and Mr. Boretsky. The members of this group are the guests of the gentlemen from Lackawanna, Messrs. Wargo, Needham and Edwards and the lady from Lackawanna, Mrs. Munley.

LEAVES OF ABSENCE

By unanimous consent leaves of absence were granted as follows:

Mr. Tompkins for Mr. BOSSERT for today.

Mr. Tompkins for Mr. KESSLER for the balance of the week because of illness.

Mr. Tompkins for Mr. ODORISIO for today.

Mr. Tompkins for Mr. STRAUSSER for today.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1720, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), providing for forfeiture of funds by school districts or county boards of school directors for employing any person in a supervisory capacity who has not been certified for such position.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—192

Adams,	Fry,	Kramer,	Riley,
Anderson, J. H.,	Fulmer,	Lamb,	Rovansek,
Anderson, S. A.,	Galley,	Lawson,	Royer,
Arlene,	Gallagher,	Lee, A. M.,	Rubin,
Ashton,	Gelfand,	Lee, K. B.,	Rudisli,
Auker,	George,	Leonard,	Rutherford,
Bachman,	Gibb,	Limper,	Sakulsky,
Backenstoe,	Gibbons,	Lippincott,	Scarcelli,
Blair,	Goldstein, J. H.,	Long, Wm. Jas.,	Schaaf,
Boies,	Goldstein, M. H.,	Long, Wm. Jos.,	Schuster,
Bonner,	Goodrich,	Lutty,	Seltzer,
Bower,	Gramlich,	Magee,	Shelton,
Bowman,	Gray,	Manbeck,	Sherman,
Branca,	Greenlee,	Markley,	Shupnik,
Buchanan,	Gremminger,	Marsh,	Stimmons,
Bush,	Gross,	Maxwell,	Slack,
Capano,	Guesman,	May,	Snare,
Capitolo,	Guthrie,	McCandless,	Stank,
Caulley,	Hamilton,	McCann,	Steckel,
Cianfrani,	Hankins,	McDevitt,	Stimmel,
Cioffi,	Hartley,	McDonald,	Stiteler,
Clarke,	Haudenshield,	McKeever,	Stone,
Comer,	Heavey,	McLaughlin,	Sullivan, J. A.,
Cooley,	Heffner,	McNally,	Sullivan, T. F.,
Crossin,	Helm,	Meholchick,	Taylor,
Davis,	Henzel,	Merry,	Thompson,
Dengler,	Hocker,	Miller,	Tompkins,
Dennison,	Holl,	Mills,	Varner,
Donaldson,	Holliday,	Monroe,	Verona,
Dougherty,	Holman,	Morley,	Wall,
Doughten,	Horst,	Mullen,	Walsh,
Down,	Irviss,	Murray,	Wargo,
Edwards,	Isaacs,	Musto,	Weldner,
Ellberg,	Jenkins,	Needham,	Welsh,
Elvey,	Jim,	O'Dell,	Wescott,
Eshback,	Johnson, A. W.,	O'Donnell, J. A.,	Whittaker,
Eshleman,	Johnson, R. P.,	O'Donnell, J. P.,	Willard,
Esler,	Jones,	Ogllive,	Willaredt,
Ewing,	Kamyk,	Parlante,	Williams, A. D.,
Farabaugh,	Kelser,	Pashley,	Williams, E. S.,
Fetterolf,	Kelly,	Petrosky,	Wilt,
Filo,	Kernaghan,	Polaski,	Wood,
Fineman,	King,	Polen,	Worley,
Flynn,	Klein,	Prendergast,	Wynd,
Foerster,	Knecht,	Pursley,	Yetter,
Foor,	Kooker,	Reibman,	Zember,
Fox,	Kornick,	Reidenbach,	Zimmerman,
Frascella,	Korns,	Renwick,	Andrews,

Speaker

NAYS—1

Murphy,

NOT VOTING—17

Bossert,	McCormack,	Odorisio,	Strausser,
Breth,	McInroy,	Perry,	Tomasck,
Curwood,	Mihm,	Piper,	Trusio,
Kessler,	Munley,	Price,	Ujobal,
Kistler,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate bill No. 115, entitled:

An Act making an appropriation to the committee appointed by the 1960 General Assembly to study the unemployment problem in Pennsylvania.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—188

Adams,	Fulmer,	Lamb,	Riley,
Anderson, J. H.,	Galley,	Lawson,	Rovansek,
Anderson, S. A.,	Gallagher,	Lee, A. M.,	Royer,

Ashton,	Gelfand,	Lee, K. B.,	Rubin,
Auker,	George,	Leonard,	Rudisill,
Bachman,	Gibb,	Limper,	Rutherford,
Backenstoe,	Gibbons,	Lippincott,	Sakulsky,
Blair,	Goldstein, J. H.,	Long, Wm. Jas.,	Scarcelli,
Boles,	Goldstein, M. H.,	Long, Wm. Jos.,	Schaaf,
Bonner,	Goodrich,	Lutty,	Schuster,
Bower,	Gramlich,	Magee,	Seltzer,
Bowman,	Gray,	Manbeck,	Shelton,
Branca,	Greenlee,	Markley,	Sherman,
Buchanan,	Gremminger,	Marsh,	Shupnik,
Bush,	Gross,	Maxwell,	Simmons,
Capano,	Guesman,	May,	Slack,
Capitolo,	Guthrie,	McCandless,	Snare,
Cauley,	Hamilton,	McCann,	Stank,
Cianfrani,	Hankins,	McDevitt,	Steckel,
Cioffi,	Hartley,	McDonald,	Stimmel,
Clarke,	Haudenschild,	McKeever,	Stiteler,
Comer,	Heavey,	McLaughlin,	Stone,
Cooley,	Heffner,	McNally,	Sullivan, J. A.,
Crossin,	Helm,	Meholchick,	Sullivan, T. F.,
Davis,	Henzel,	Merry,	Taylor,
Dengler,	Hocker,	Miller,	Thompson,
Dennison,	Holl,	Mills,	Tompkins,
Donaldson,	Holliday,	Monroe,	Varnier,
Dougherty,	Holman,	Morley,	Verona,
Doughten,	Horst,	Mullen,	Wall,
Down,	Irvis,	Murphy,	Walsh,
Edwards,	Isaacs,	Murray,	Wargo,
Ellberg,	Jim,	Musto,	Weidner,
Elvey,	Johnson, A. W.,	Needham,	Welsh,
Eshback,	Johnson, R. P.,	O'Donnell, J. A.,	Whittaker,
Eshleman,	Jones,	O'Donnell, J. P.,	Willard,
Esler,	Kamyk,	Ogilvie,	Willaredt,
Ewing,	Kelly,	Parlante,	Williams, A. D.,
Farabaugh,	Kernaghan,	Pashley,	Williams, E. S.,
Fetterolf,	Kelser,	Petrosky,	Wilt,
Fineman,	Knecht,	Polaski,	Wood,
Flynn,	King,	Polen,	Worley,
Foerster,	Klein,	Prendergast,	Wynd,
Foor,	Kooker,	Pursley,	Yetter,
Fox,	Kornick,	Reibman,	Zember,
Frascella,	Korns,	Reidenbach,	Zimmerman.
Fry,	Kramer,	Renwick,	Andrews,

Speaker

NAYS—1

O'Dell,

NOT VOTING—21

Arlene,	Kessler,	Munley,	Strausser,
Bossert,	Kistler,	Odorisio,	Tomascik,
Breth,	McCormack,	Perry,	Trusio,
Curwood,	McInroy,	Piper,	Ujobai,
Filo,	Mihm,	Price,	Wescott,
Jenkins,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Filo.

Mr. FILO. Mr. Speaker, I was locked out before I could vote. I would like to have it noted that I would have voted for this legislation.

The SPEAKER. The remarks of the gentleman will be spread upon the record.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate bill No. 439, entitled:

An Act amending the act of March 31, 1949 (P. L. 372), entitled "The General State Authority Act of 1949," empowering the Authority to construct additions and improvements to manual training schools receiving State aid authorizing contracts to lease and leases by the Depart-

ment of Public Instruction from the Authority of any additions or improvements to manual training and agricultural and industrial schools receiving State aid and furnishing and equipment thereof when used or occupied and authorizing subleases of such projects.

On the question,

Shall the bill pass finally?

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Lee.

Mr. A. M. LEE. Mr. Speaker, Senate bill 439 is an amendment to the General State Authority Act. It would include among the purposes for which General State Authority funds can be spent, manual training schools and agricultural and industrial schools which are presently receiving State aid.

An amendment to another section would authorize the leases on these projects to be handled through the Department of Public Instruction.

Mr. Speaker, in connection with this bill I would like to interrogate the majority leader.

The SPEAKER. Will the majority leader permit himself to be interrogated by the gentleman from Philadelphia, Mr. Lee, regarding some phase of Senate bill 439?

Mr. McCANN. I yield, Mr. Speaker, to the gentleman from Washington, Mr. Polen.

The SPEAKER. The Chair recognizes the gentleman from Washington, Mr. Polen. Will the gentleman consent to be interrogated?

Mr. POLEN. I shall, Mr. Speaker.

Mr. A. M. LEE. Mr. Speaker, the addition of these various schools would make them a proper subject for the expenditure of General State Authority funds, is that correct?

Mr. POLEN. That is correct, Mr. Speaker.

Mr. A. M. LEE. We passed House bill 1335, which is the General State Authority bill of this session. Were there any authorizations in House bill 1335 for institutions of this particular type?

Mr. POLEN. No, Mr. Speaker, for the institutions that this is intended to cover there was no project included in House bill 1335.

Mr. A. M. LEE. Did the gentleman say there were no such authorizations?

Mr. POLEN. That is correct, Mr. Speaker.

Mr. A. M. LEE. In the event we adopt this amendment to the purpose clause of this bill, where is the money going to come from to build these particular facilities?

Mr. POLEN. If we adopt these amendments, it would simply authorize the inclusion of this type in the General State Authority. It would have to be an authorization in a bill similar to 1335 for construction of them. The amendment is intended to cover, I believe, only two schools which do not participate at the present time.

Mr. A. M. LEE. Is the gentleman saying, even if we adopt this amendment we would still at some subsequent time have to put a line authorization in a GSA borrowing bill in order to have these facilities built?

Mr. POLEN. That has been the way we have handled it in the past. As to 1335, it could be that the Senate would include these in 1335, I do not know.

Mr. A. M. LEE. If the Senate included them in 1335, should they not put this amendment in 1335 rather than having a separate bill?

Mr. POLEN. I do not follow the gentleman, Mr. Speaker.

Mr. A. M. LEE, Mr. Speaker, 1335 is an amendment to the same act, the General State Authority Act?

Mr. POLEN. That is correct.

Mr. A. M. LEE. So if it was the Senate's intention to make these amendments to the General State Authority Act, they could be included in 1335, is that not correct?

Mr. POLEN. They could be included in 1335, I believe. Without checking it, I am not certain. That is something the Legislative Reference Bureau would have to determine, but I believe the gentleman is correct.

Mr. A. M. LEE. With some trepidation, Mr. Speaker, I would inform the gentleman that I do not see any reason why these amendments could not be included in 1335. They are certainly germane, the same subject, and everything else.

Mr. Speaker, will the gentleman inform me, if we pass this amendment to the GSA bill, whether it would be possible for money to be allocated out of the so-called unallocated funds for the construction of facilities at these types of institutions?

Mr. POLEN. I would say it would be possible, Mr. Speaker.

Mr. A. M. LEE. So that when the gentleman advised me that it would be necessary to put a line item in 1335, or in some subsequent GSA bill, in order to build these facilities, that was not entirely correct?

Mr. POLEN. Mr. Speaker, I think I referred to the fact that is the way we would handle it in the House. As the gentleman probably knows, and as I know, from the unallocated funds it would be possible for the project to be built. The intention, I believe, of this bill which we have before us, Senate bill 439, is to make agricultural schools and industrial training schools eligible to receive GSA treatment. I think that is what this bill does.

As to what would be done in the Senate or what might be done by GSA as to what they would build, I am not in a position to say.

Mr. A. M. LEE. I thank the gentleman, Mr. Speaker.

This, again, is another phase of the problem with which this General Assembly is concerned relating to the GSA. Here we are asked to put an authorization in the General State Authority Act which would permit the expenditure of unallocated funds, something over which this legislature has absolutely no control.

I will only say, Mr. Speaker, that so far as we are concerned, it may very well be that manual training schools and agricultural and industrial schools are perfectly proper objects for the expenditure of funds in the capital budget of the Commonwealth. If that is the case, those items should be included line by line in the General State Authority bill with the dollar amount of the authorization in there so that we, the members of the General Assembly, will know exactly what we are getting for our money and what the taxpayers are going to be called upon to pay back over the 25 or 30 years of the life of the bonds.

So I say, Mr. Speaker, this is an example of fiscal irresponsibility. I think this is a bad bill. If this is to be done, it should be done in House bill 1335. I ask the members to vote against it.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—107

Anderson, S. A.,	Galley,	Maxwell,	Renwick,
Arlene,	Gallagher,	McCann,	Riley,
Bachman	Gelfand,	McCormack,	Rovansek,
Boles,	Gray,	McDevitt,	Rubin,
Bonner,	Greenlee,	McDonald,	Rudisill,
Branca,	Gremminger,	McKeever,	Sakulsky,
Breth,	Guesman,	McLaughlin,	Scarcelli,
Capano,	Hamilton,	McNally,	Schaaf,
Capitolo,	Hankins,	Meholchick,	Schuster,
Cauley,	Hartley,	Mills,	Shelton,
Cianfrani,	Heavey,	Monroe,	Sherman,
Cioffi,	Irvis,	Morley,	Shupnik,
Clarke,	Jenkins,	Mullen,	Stank,
Comer,	Jim,	Murphy,	Stone,
Cooley,	Jones,	Murray,	Sullivan, J. A.,
Crossin,	Kamyk,	Musto,	Sullivan, T. F.,
Curwood,	Kelly,	Needham,	Taylor,
Dougherty,	Klein,	O'Donnell, J. A.,	Thompson,
Doughten,	Kornick,	O'Donnell, J. P.,	Tomasck,
Ellberg,	Kramer,	Parlante,	Trusio,
Farabaugh,	Lamb,	Pashley,	Verona,
Filo,	Lawson,	Petrosky,	Walsh,
Fineman,	Leonard,	Polaski,	Wargo,
Flynn,	Limper,	Polen,	Welsh,
Foerster,	Long, Wm. Jas.,	Prendergast,	Yetter,
Frascella,	Long, Wm. Jos.,	Reibman,	Andrews,
Fry,	Lutty,	Reidenbach,	Speaker

NAYS—89

Adams,	Fox,	Kernaghan,	Seltzer,
Anderson, J. H.	Fulmer,	King,	Simmons,
Ashton,	Gibb,	Kistler,	Slack,
Auker,	Gibbons,	Knecht,	Snare,
Backenstoe,	Goldstein, J. H.,	Kooker,	Steckel,
Blair,	Goldstein, M. H.,	Korns,	Stimmel,
Bower,	Gramlich,	Lee, A. M.,	Stiteler,
Bowman,	Gross,	Lee, K. B.,	Tompkins,
Buchanan,	Guthrie,	Lippincott,	Varnar,
Bush,	Haudenshield,	Magee,	Wall,
Davis,	Heffner,	Manbeck,	Weidner,
Dengler,	Helm,	Markley,	Whittaker,
Dennison,	Henzel,	Marsh,	Willard,
Donaldson,	Hocker,	May,	Willaredt,
Down,	Holl,	McCandless,	Williams, A. D.,
Edwards,	Holliday,	Merry,	Williams, E. S.,
Elvey,	Holman,	Miller,	Wilt,
Eshback,	Horst,	O'Dell,	Wood,
Eshleman,	Isaacs,	Ogilvie,	Worley,
Esler,	Johnson, A. W.,	Pursley,	Wynd,
Ewing,	Johnson, R. P.,	Royer,	Zember,
Fetterolf,	Kelser,	Rutherford,	Zimmerman,
Foor,			

NOT VOTING—14

Bossert,	McInroy,	Perry,	Strausser,
George,	Mihm,	Piper,	Ujobai,
Goodrich,	Munley,	Price,	Wescott,
Kessler,	Odorisio,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

CONGRATULATIONS

Mr. McCANN. Mr. Speaker, one of our distinguished members was married last Saturday and he is spending his honeymoon here in the House of Representatives. Representative James Greenlee was married Saturday, June 24th, and his lovely new wife is here in the House with him, Mrs. Ellen Young Greenlee. I just wonder if they would stand up and all give her and Jim a great big hand.

The SPEAKER. The Chair congratulates the gentleman upon his choice, and congratulates him that he is fortunate enough to be chosen.

BOY SCOUTS WELCOMED

The SPEAKER. The Chair notes the presence in the gallery of Boy Scout Troop 531, of the Metropolitan Baptist Church, Philadelphia. They are here under the direction of their Scoutmaster, Mr. Samuel Timmons, and are the guests of the gentleman from Philadelphia, Mr. Hanks.

Mr. McCANN, on page 17, I call up House bill 459, printer's No. 498, for the purpose of accepting the amendments offered by the gentleman from Cameron, Mr. Tompkins.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 459, entitled:

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333), providing for notice to persons nominated by write-in votes.

On the question,

Will the House agree to the bill on third reading?

Mr. TOMPKINS asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the clerk for information.

Amend Title, page 2, last line of Title, by inserting after "votes"; and requiring persons nominated or elected by write-in votes to pay filing fees.

Amend Sec. 1 (Sec. 922), page 3, line 2, by inserting after "requested": Any person nominated by write-in votes shall, within fifteen days after the receipt of such notice, pay the filing fee prescribed by section 913 of this act for the filing of a nomination petition for the office for which he has been nominated. Failure to pay such filing fee within said period shall render the nomination void.

Amend Bill, page 3, by inserting after line 7:

Section 2. The act is amended by adding, after section 1418, a new section to read:

Section 1419. Persons Elected by Write-in Votes to Pay Fees.—Any person not previously nominated who is elected as a write-in candidate at a general, municipal or special election shall be required to pay the filing fee prescribed by section 913 of this act for the filing of a nomination petition for the office to which he has been elected prior to being sworn into office. Failure to pay such filing fee shall create a vacancy in the office to which such person was elected.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 826, entitled:

An Act amending "The Permanent Registration Act of Cities of the Second Class, Cities of the Second Class A,

Cities of the Third Class, Boroughs, Towns and Townships" approved April 29, 1937 (P. L. 487), providing for registration by roving registrars and providing penalties.

On the question,

Will the House agree to the bill on third reading?

MOTION TO RECOMMIT

Mr. LIPPINCOTT. Mr. Speaker, I move that this bill be recommitted to the Committee on Elections for the purpose of further study.

On the question,

Will the House agree to the motion?

Mr. McCANN. Mr. Speaker, I rise to oppose the motion made by the gentleman from Delaware, Mr. Lippincott, to recommit House bill 826 and ask that the membership vote "no" on recommitment.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Messrs. LIPPINCOTT and TOMPKINS and were as follows:

YEAS—88

Adams,	Fox,	Keiser,	Seltzer,
Anderson, J. H.	Fulmer,	Kernaghan,	Simmons,
Ashton,	George,	King,	Slack,
Auker,	Gibb,	Kistler,	Snare,
Backenstoe,	Gibbons,	Kooker,	Steckel,
Blair,	Goldstein, J. H.,	Korns,	Stimmel,
Bower,	Goldstein, M. H.,	Lee, A. M.,	Stiteler,
Bowman,	Gramlich,	Lee, K. B.,	Thompson,
Buchanan,	Gross,	Lippincott,	Tompkins,
Bush,	Guthrie,	Magee,	Varnier,
Davis,	Haudenschild,	Manbeck,	Weldner,
Dengler,	Heffner,	Markley,	Whittaker,
Dennison,	Helm,	Marsh,	Willard,
Donaldson,	Henzel,	May,	Willaredt,
Down,	Hocker,	McCandless,	Williams, A. D.,
Elvey,	Holl,	Merry,	Williams, E. S.,
Eshback,	Holliday,	Miller,	Wilt,
Eshleman,	Holman,	O'Dell,	Wood,
Esler,	Horst,	Ogilvie,	Worley,
Ewing,	Isaacs,	Pursley,	Wynd,
Fetterolf,	Johnson, A. W.,	Royer,	Zember,
Foor,	Johnson, R. P.,	Rutherford,	Zimmerman,

NAYS—106

Anderson, S. A.,	Fry,	Lutty,	Reibman,
Arlene,	Galley,	Maxwell,	Reidenbach,
Bachman,	Gallagher,	McCann,	Renwick,
Boles,	Gelfand,	McCormack,	Riley,
Bonner,	Gray,	McDevitt,	Rovasek,
Branca,	Greenlee,	McDonald,	Rubin,
Breth,	Gremminger,	McKeever,	Rudisill,
Capano,	Guesman,	McLaughlin,	Sakulsky,
Capitolo,	Hamilton,	McNally,	Scarcelli,
Cauley,	Hankins,	Meholchick,	Schaaf,
Cianfrani,	Hartley,	Mills,	Shelton,
Cioffi,	Heavey,	Monroe,	Sherman,
Clarke,	Irvls,	Morley,	Shupnik,
Comer,	Jenkins,	Mullen,	Stank,
Cooley,	Jlm,	Murphy,	Sullivan, J. A.,
Crossin,	Jones,	Musto,	Sullivan, T. F.,
Curwood,	Kamyk,	Needham,	Taylor,
Dougherty,	Kelly,	O'Donnell, J. A.,	Tomascik,
Doughten,	Klein,	O'Donnell, J. P.,	Trusio,
Edwards,	Kornick,	Parlante,	Verona,
Ellberg,	Kramer,	Pashley,	Wall,
Farabaugh,	Lamb,	Perry,	Walsh,
Filo,	Lawson,	Petrosky,	Wargo,
Fineman,	Leonard,	Polaski,	Welsh,
Flynn,	Limper,	Polen,	Yetter,
Foerster,	Long, Wm. Jas.,	Prendergast,	Andrews,
Frascella,	Long, Wm. Jos.,		Speaker

NOT VOTING—16

Bossert,	McInroy,	Odoristo,	Stone,
Goodrich,	Mihm,	Piper,	Strausser,
Kessler,	Munley,	Price,	Ujosal,
Knecht,	Murray,	Schuster,	Wescott,

So the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. TOMPKINS asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the clerk for information.

Amend Title, page 2, next to last line of title, by inserting after "registration" of persons confined to their places of residence by reason of illness or physical disability

Amend Sec. 2 (Sec. 18), page 3, lines 13 to 20, by striking out "residents of the" in line 13, all of lines 14 to 19, and "shall be deemed to be roving registrars" in line 20, and inserting: registered voters, or fraction thereof, of the county at the preceding general election, designate two duly qualified electors to act as roving registrars. Such registrars shall respectively be of the political party enrolling the largest and second largest number of voters within the county at the preceding general election. The county chairmen of the said political parties may recommend persons to be so designated, but their recommendations shall not be binding upon the commission. Such roving registrars shall be supplied by the commission with registration applications and cards.

Amend Sec. 2 (Sec. 18), page 4, line 2, by inserting after "commission" except that such right shall be limited to the registration of persons who are confined to their places of residence by reason of illness or physical disability, as verified by a statement signed by a physician which statement shall accompany each registration so obtained, and

Amend Sec. 2 (Sec. 18), page 4, line 9, by inserting after "register" or who is not confined to his place of residence by reason of illness or physical disability.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

Mr. TOMPKINS. Mr. Speaker, the bill before the House now provides for the appointment of roving registrars, two for each 50,000 residents of a county, or fraction thereof, and those registrars to be appointed by the chairmen of the respective political parties which had the highest number of votes in the preceding election.

The amendments provide that, instead of two roving registrars for each 50,000 residents, there shall be two roving registrars for each 50,000 registered electors as determined by the preceding general election.

It also provides that the county registration committee shall receive recommendations from the chairmen of the respective political parties, but that they shall not be bound thereby, and it limits the roving registration to residents by reason of illness or physical disability. In other words, it applies to shut-ins, principally. Those are the things the amendments provide for and we think they make a very much better bill of it in order to take care of those people who under normal, ordinary circumstances are unable to appear at the various registration places as now provided by law.

We think these are very good amendments and ask the members on this side of the House to vote for these amendments.

Mr. GAILEY. Mr. Speaker, I certainly can take no exception to the manner in which the gentleman from

Cameron, Mr. Tompkins, explained these amendments. His explanation is entirely correct.

I do, however, take exception to the amendments themselves. They change entirely the context of the bill and its meaning and purpose.

It has been the position of the Democratic Party traditionally to sponsor registration for voting that will make it easier, whenever possible, consistent, of course, with guarding against bad practices.

It is the feeling of the members on this side of the House, I believe, that the bill as presently drawn does that. I feel that the amendments offered would sharply cut back this liberalization in registration and I would ask the membership on both sides of the House to vote against the amendments.

Mr. TOMPKINS. Mr. Speaker, the purpose of the amendments, by reducing the numbers of registrars to two for each 50,000 registered electors, instead of two for each 50,000 residents, is to keep such a flock of roving registrars from roaming throughout the county.

Point No. 2: the bill as drafted makes it mandatory upon the county commissioners to accept the recommendations of the chairmen of the political parties. I say to you that when you supersede the power of your duly elected officials to operate in the sphere for which they have been elected by making it mandatory upon them to follow the dictates of the chairman of any political party, you in that respect are breaking down the operation of your local government. They should not have the power to make it mandatory upon the county commissioners to do things that the chairmen of the political parties designate them to do. I think it is a dangerous practice and it will lead to all kinds of abuses. For that reason we think these amendments are good and ought to be adopted.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. TOMPKINS and LIPPINCOTT and were as follows:

YEAS—90

Adams.	Fox,	Kernaghan,	Seltzer,
Anderson, J. H.,	Fulmer,	King,	Simmons,
Ashton,	George,	Kistler,	Slack,
Auker,	Gibb,	Knecht,	Snare,
Backenstoe,	Gibbons,	Kooker,	Steckel,
Blair,	Goldstein, J. H.,	Korns,	Stimmel,
Bower,	Goldstein, M. H.,	Lee, A. M.,	Stiteler,
Bowman,	Gramlich,	Lee, K. B.,	Thompson,
Buchanan,	Gross,	Lippincott,	Tompkins,
Bush,	Guthrie,	Magee,	Varnar,
Crossin,	Haudenshield,	Manbeck,	Weidner,
Davis,	Heffner,	Markley,	Whittaker,
Dengler,	Helm,	Marsh,	Willard,
Dennison,	Henzel,	May,	Willaredt,
Donaldson,	Hocker,	McCandless,	Williams, A. D.,
Down,	Holl,	Merry,	Williams, E. S.,
Elvey,	Holliday,	Miller,	Wilt,
Eshback,	Holman,	O'Dell,	Wood,
Eshleman,	Horst,	Ogilvie,	Worley,
Esler,	Isaacs,	Pursley,	Wynd,
Ewing,	Johnson, A. W.,	Royer,	Zember,
Petterolf,	Johnson, R. P.,	Rutherford,	Zimmerman,
Foor,	Kelser,		

NAYS—107

Anderson, S. A.,	Gallagher,	McCann,	Renwick,
Arlene,	Gelfand,	McCormack,	Riley,
Bachman,	Gray,	McDevitt,	Rovansek,
Bales,	Greenlee,	McDonald,	Rubin,
Bonner,	Gremminger,	McKeever,	Rudisill,
Branca,	Guesman,	McLaughlin,	Sakulsky,
Breth,	Hamilton,	McNally,	Scarcell,

Capano, Capitolo, Caulley, Cianfrani, Cloffi, Clarke, Comer, Cooley, Curwood, Dougherty, Doughten, Edwards, Ellberg, Fllo, Fineman, Flynn, Foerster, Frascella, Fry, Galley,	Hankins, Hartley, Heavey, Irvis, Jenkins, Jim, Jones, Kamyk, Kelly, Klein, Kornick, Kramer, Lamb, Lawson, Leonard, Limper, Long, Wm. Jas., Long, Wm. Jos., Lutty, Maxwell,	Meholchick, Mills, Monroe, Morley, Mullen, Murphy, Murray, Musto, Needham, O'Donnell, J. A., O'Donnell, J. P., Parlante, Pashley, Perry, Petrosky, Polaski, Polen, Prendergast, Reibman, Reidenbach,	Schaaf, Schuster, Shelton, Sherman, Shupnik, Stank, Stone, Sullivan, J. A., Sullivan, T. F., Taylor, Tomascik, Trusio, Verona, Wall, Walsh, Wargo, Welsh, Yetter, Andrews, Speaker
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NOT VOTING—13

Bossert, Farabaugh, Goodrich, Kessler,	McInroy, Mihm, Munley,	Odoristo, Piper, Price,	Strausser, Ujobal, Wescott,
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So the question was determined in the negative and the amendments were not agreed to.

On the question recurring,
Will the House agree to the bill on third reading?
It was agreed to.

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?
Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—111

Anderson, S. A., Arlene, Bachman, Boles, Bonner, Branca, Breth, Capano, Capitolo, Caulley, Cianfrani, Cloffi, Clarke, Comer, Cooley, Crossin, Curwood, Dougherty, Doughten, Edwards, Ellberg, Farabaugh, Fllo, Fineman, Flynn, Foerster, Frascella, Fry,	Galley, Gallagher, Gelfand, George, Gibb, Gray, Greenlee, Gremminger, Guesman, Hamilton, Hankins, Hartley, Heavey, Irvis, Jenkins, Jim, Jones, Kamyk, Kelly, Klein, Kornick, Kramer, Lamb, Lawson, Leonard, Limper, Long, Wm. Jas., Long, Wm. Jos.,	Lutty, Maxwell, McCann, McCormack, McDevitt, McDonald, McKeever, McLaughlin, McNally, Meholchick, Mills, Monroe, Morley, Mullen, Murphy, Murray, Musto, Needham, O'Donnell, J. A., O'Donnell, J. P., Parlante, Pashley, Perry, Petrosky, Polaski, Polen, Prendergast, Reibman,	Reidenbach, Renwick, Riley, Rovanseck, Rubin, Rudisill, Sakulsky, Scarcelli, Schaaf, Schuster, Shelton, Sherman, Shupnik, Stank, Stone, Sullivan, J. A., Sullivan, T. F., Taylor, Tomascik, Trusio, Verona, Wall, Walsh, Welsh, Worley, Yetter, Andrews, Speaker
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NAYS—86

Adams, Anderson, J. H., Ashton, Auker, Backenstoe, Blair, Bower, Bowman, Buchanan, Bush, Davis, Dengler,	Fox, Fulmer, Gibbons, Goldstein, J. H., Goldstein, M. H., Gramlich, Guthrie, Haudenshield, Heffner, Helm, Henzel, Hocker,	Kistler, Knecht, Kooker, Korns, Lee, A. M., Lee, K. B., Lippincott, Magee, Manbeck, Markley, Marsh, May,	Simmons, Slack, Snare, Steckel, Stimmel, Stiteler, Thompson, Tompkins, Varner, Wargo, Weidner, Whittaker,
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Dennison, Donaldson, Down, Elvey, Eshback, Eshleman, Esler, Ewing, Fetterolf, Foor,	Holl, Holliday, Holman, Horst, Isaacs, Johnson, A. W., Johnson, R. P., Kelser, Kernaghan, King,	McCandless, Merry, Miller, O'Dell, Ogilvie, Pursley, Royer, Rutherford, Seltzer,	Willaredt, Willard, Williams, A. D., Williams, E. S., Wilt, Wood, Wynd, Zember, Zimmerman,
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NOT VOTING—13

Bossert, Goodrich, Gross, Kessler,	McInroy, Mihm, Munley,	Odoristo, Piper, Price,	Strausser, Ujobal, Wescott,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 884, entitled:

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333) removing prohibition against unincorporated associations making political contributions.

On the question,
Will the House agree to the bill on third reading?
It was agreed to.

On the question,
Shall the bill pass finally?

The SPEAKER. The Chair recognizes the Minority Leader.

Mr. A. W. JOHNSON. I believe the Membership all know what this bill does. It permits unincorporated associations to make political contributions. This would open the door to fraud. It is a bad thing to permit this in our elections in Pennsylvania. You are only letting one segment of industry make political contributions, namely, unions and other unincorporated associations and closing the door to corporations and others that might want to do it.

When this session is over with and everything is added up, you will find that a lot of these laws you are trying to put over in a one-sided way will only hurt industry again and in a lop-sided fashion you are trying to legislate here for the benefit of one particular class in the State.

I believe that it would be a bad thing for Pennsylvania and that we should all vote against this bill. We are having a tough enough time to have clean elections in our big cities now without opening the door to wholesale donations to political parties by people who should not be doing it.

On the question recurring,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—107

Anderson, S. A., Arlene, Bachman, Boles,	Galley, Gallagher, Gelfand, Gray,	Maxwell, McCann, McCormack, McDevitt,	Reidenbach, Renwick, Riley, Rovanseck,
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Bonner,	Greenlee,	McDonald,	Rubin,
Branca,	Gremminger,	McKeever,	Rudisill,
Breth,	Guesman,	McLaughlin,	Sakulsky,
Capano,	Hamilton,	McNally,	Scarcelli,
Capitolo,	Hankins,	Meholchick,	Schaaf,
Cauley,	Hartley,	Mills,	Schuster,
Cianfrani,	Heavey,	Monroe,	Shelton,
Cioffi,	Irvis,	Morley,	Sherman,
Clarke,	Jenkins,	Mullen,	Shupnik,
Comer,	Jim,	Murphy,	Stank,
Cooley,	Jones,	Murray,	Stone,
Crossin,	Kamyk,	Musto,	Sullivan, J. A.,
Curwood,	Kelly,	Needham,	Sullivan, T. F.,
Dougherty,	Klein,	O'Donnell, J. A.,	Taylor,
Doughten,	Kornick,	O'Donnell, J. P.,	Tomascik,
Elberg,	Kramer,	Parlante,	Trusio,
Farabaugh,	Lamb,	Pashley,	Verona,
Filo,	Lawson,	Perry,	Walsh,
Fineman,	Leonard,	Petrosky,	Wargo,
Flynn,	Limper,	Polaski,	Welsh,
Foerster,	Long, Wm. Jas.,	Polen,	Yetter,
Frascella,	Long, Wm. Jos.,	Prendergast,	Andrews,
Fry,	Lutty,	Reibman,	Speaker

NAYS—92

Adams,	Fox,	Kernaghan,	Seltzer,
Anderson, J. H.,	Fulmer,	King,	Simmons,
Ashton,	George,	Kistler,	Slack,
Auker,	Gibb,	Knecht,	Snare,
Backenstoe,	Gibbons,	Kooker,	Steckel,
Blair,	Goldstein, J. H.,	Korns,	Stimmel,
Bower,	Goldstein, M. H.,	Lee, A. M.,	Stiteler,
Bowman,	Gramlich,	Lee, K. B.,	Thompson,
Buchanan,	Gross,	Lippincott,	Tompkins,
Bush,	Guthrie,	Magee,	Varner,
Davis,	Haudenshield,	Manbeck,	Wall,
Dengler,	Heffner,	Markley,	Weidner,
Dennison,	Helm,	Marsh,	Whittaker,
Donaldson,	Henzel,	May,	Willard,
Down,	Hocker,	McCandless,	Willaredt,
Edwards,	Holl,	Merry,	Williams, A. D.,
Elvey,	Holliday,	Miller,	Williams, E. S.,
Eshback,	Holman,	O'Dell,	Wilt,
Eshleman,	Horst,	Ogllive,	Wood,
Esler,	Isaacs,	Price,	Worley,
Ewing,	Johnson, A. W.,	Pursley,	Wynd,
Fetterolf,	Johnson, R. P.,	Royer,	Zember,
Foor,	Keiser,	Rutherford,	Zimmerman,

NOT VOTING—11

Bossert,	McInroy,	Odorisio,	Ujobai,
Goodrich,	Mihm,	Piper,	Wescott,
Kessler,	Munley,	Strausser,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1270, entitled:

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90), providing for the issuance of special caterer's permits.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Liquor Control.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1427, entitled:

An Act amending the act of April 26, 1933 (P. L. 89), entitled "An act authorizing any city of the second class

in this Commonwealth to sell or dispose of its interest in property condemned for public park or for any public use * * *" authorizing the property to be leased or to be used for other city purposes and removing certain limitations on sale and disposition of the city's right title and interest in property.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER. The gentleman from Allegheny, Mr. Goldstein, desires to interrogate the gentleman from Allegheny, Mr. Lamb. Will the gentleman form Allegheny, Mr. Lamb, permit himself to be interrogated?

Mr. LAMB. I shall, Mr. Speaker.

Mr. M. H. GOLDSTEIN. Mr. Speaker, what is the primary purpose and the need for this legislation?

Mr. LAMB. Mr. Speaker, would the gentleman inform me just which bill he is going to interrogate me on?

The SPEAKER. House Bill 1427, page 20 of the calendar.

Mr. LAMB. Thank you.

If I understand the gentleman's question, what is the purpose of this bill? Mr. Speaker, the purpose of this bill is to allow cities of the second class to dispose of property no longer in the public use, or no longer being used as public parks or public playgrounds.

Mr. Speaker, this is a right that cities of the third class now have that is written into the township code.

It is also written into the borough code. There are, in the course of changing times, properties which were once playgrounds and parks which are no longer used or needed as such. This would give the governing body the right to dispose of these properties. I trust that answers the gentleman's question.

Mr. M. H. GOLDSTEIN. In part, Mr. Speaker. If your purpose is to dispose of the land, why do you give the city the power to lease? What is the necessity of leasing if the land is no longer needed by the city?

Mr. LAMB. I might say, Mr. Speaker, that the property considered is presently owned by the city and that ordinarily the right to sell also covers the rights of lease. I can imagine situations where cities, for one reason or another, may feel that under the circumstances a leasing arrangement may be better than a sales arrangement, and this would give them that power. Again I say, this is the same power that other municipalities now have.

Mr. M. H. GOLDSTEIN. Is there any provision in this legislation for competitive bidding for sale or lease?

Mr. LAMB. No, Mr. Speaker, there is not. The legislation provides that city council shall determine, by ordinance, that the property under consideration is no longer needed for the public use, and after that determination has been made, the city may then offer the property for sale. I might say, to allay the gentleman's fears, however, that the transaction is public and I feel certain that the best price will be obtained.

Mr. M. H. GOLDSTEIN. I thank the gentleman.

Mr. Speaker, we oppose the passage of this legislation because we feel that where the property of the city is involved, regardless of whether third class cities or other subdivisions have this right, we should get the highest price from the highest bidder whether it be on sale or

lease. We should not rely upon private contracts approved by city council. This opens the door to skepticism and sometimes to fraud. For that reason I oppose the passage of this bill.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. McCormack.

Mr. McCORMACK. Mr. Speaker, may I interrogate the gentleman from Allegheny, Mr. Lamb?

The SPEAKER. Will the gentleman from Allegheny, Mr. Lamb, permit himself to be interrogated?

Mr. LAMB. I shall, Mr. Speaker.

Mr. McCORMACK. Mr. Speaker, when the city condemns land, what interest do they acquire by that condemnation under the present law?

Mr. LAMB. Mr. Speaker, the interest acquired by the city is the fee simple interest.

Mr. McCORMACK. Is there not also a provision in the law that when that land is acquired for a specific purpose, if it is no longer used for that purpose then it is to revert to the former owner?

Mr. LAMB. Mr. Speaker, that is the present law. As the law now reads, if the property were condemned for a park, and at some future time the use was no longer required, the only party the city could convey the interest to would be the person from whom, or against whom, the land was condemned. With the passage of many, many years, whatever the interest of that person might have been is now quite difficult of determination. There may be many, many problems that arise because of the passage of time as to whom the owners might be at this time. The intent of this act is to broaden the power of the municipality to convey to someone other than the person who has the reversionary interest.

Mr. McCORMACK. Granted that in many instances it would be most difficult to trace back the original owner, of course, who owned the land that had been condemned, but I am thinking that in the event there are reversionary interests which you now are attempting to divest, would that not be taking of an interest without due process of law? Would that not be depriving these people without compensating them for that taking away of their reversionary interest when the city no longer needs that land for the specific purpose for which it was condemned?

Mr. LAMB. No. Mr. Speaker, I say it is not. If I am to offer a legal opinion, as I said to the gentleman before, when the city takes that over, it takes title in fee simple. There is no reversionary interest as such, but the law does provide, however, that if at some future time the use is no longer required, the city then would sell to the—for lack of a better word I would call it the—reversionary interest. But under the law of conveyancing there is no reversionary interest established at the time the property is condemned.

Mr. McCORMACK. It seems to me, Mr. Speaker, that when the city condemns the land they only have the authority to condemn for so long as that property is needed. One of the members is shaking his head. If he has authority to the contrary I would like to hear it, because that is what I am interested in. This is a legal question to which I would like to have the answer.

It seems to me that the person from whom that property was taken has a reversionary interest and is entitled to receive that property back when the city de-

cides by resolution or by ordinance that they no longer need that property, and, therefore, by operation of law, I should think, it should revert to him, and, if that is so, by this act the city council has to, by resolution or by ordinance, decree that the property or the land is no longer needed for the purpose for which it was condemned. When you say now, if we pass this bill, they can lease it or sell it to someone else, you are depriving the original owner of the reversionary interest without compensating him, and, therefore, I think there is a constitutional question involved that I do not know the answer to, very frankly. I would like to hear some authority on it, if there is an authority in the House.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Lamb.

Mr. LAMB. Mr. Speaker, I only wish to make this one point: When the city condemns the property involved, they pay the fair market value for that property and take it in fee simple. This is the highest estate that anyone can take under the law.

Now having this estate, and because of the limitation that was imposed in an earlier law, that they must sell it back to the person from whom it was condemned, we are now trying to broaden that law.

I feel that the House should understand the problems involved here where you have a tract of land where you might have hundreds and hundreds of former owners. Over the period of many, many years the property has been used for public use, a park or for a playground. Now just who the heirs, just who the reversionary interest, as Mr. McCormack might call it, would be, would be practically impossible of determination. So the council of the city of Pittsburgh, or any second class city—and as I said before, every municipality other than the cities of the second class have this right—are asking for the right to sell the property to someone else in the open market.

The theory has been stated here that the property may not go for the best obtainable price or that the lease may not be written on the best terms available. The only thing I can say to that is that certainly since the operation is open and public I feel certain the cities will take every precaution to see that they do get the best price obtainable.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—108

Anderson, S. A.,	Fry,	Long, Wm. Jos.,	Reibman,
Arlene,	Galley,	Lutty,	Reidgnbach,
Bachman,	Gallagher,	Maxwell,	Renwick,
Boles,	Gelfand,	McCann,	Riley,
Bonner,	Gray,	McCormack,	Rovansek,
Bowman,	Greenlee,	McDevitt,	Rubin,
Branca,	Gremminger,	McDonald,	Rudisill,
Breth,	Guesman,	McKeever,	Scarcelli,
Capano,	Hamilton,	McLaughlin,	Sakulsky,
Capitolo,	Hankins,	McNally,	Schaaf,
Cauley,	Hartley,	Meholchick,	Schuster,
Cianfrani,	Irvia,	Mills,	Shelton,
Cioffi,	Jenkins,	Monroe,	Sherman,
Clarke,	Jim,	Morley,	Shupnik,
Comer,	Jones,	Murphy,	Stank,
Cooley,	Kamyk,	Murray,	Stone,
Crossin,	Kelly,	Musto,	Sullivan, J. A.,
Curwood,	Kistler,	Needham,	Sullivan, T. P.,

Dougherty,	Klein,	O'Donnell, J. A.,	Taylor,
Doughten,	Knecht,	O'Donnell, J. P.,	Tomascik,
Eilberg,	Kornick,	Parlante,	Trusio,
Farabaugh,	Kramer,	Pashley,	Verona,
Filo,	Lamb,	Perry,	Walsh,
Fineman,	Lawson,	Petrosky,	Wargo,
Flynn,	Leonard,	Polaski,	Welsh,
Foerster,	Limper,	Polen,	Yetter,
Frascella,	Long, Wm. Jas.,	Prendergast,	Andrews,
			Speaker

NAYS—90

Adams,	Fulmer,	Kernaghan,	Simmons,
Anderson, J. H.,	George,	King,	Slack,
Ashton,	Gibb,	Kooker,	Snare,
Auker,	Gibbons,	Korns,	Steckel,
Backenstoe,	Goldstein, J. H.,	Lee, A. M.,	Stimmel,
Blair,	Goldstein, M. H.,	Lee, K. B.,	Thompson,
Bower,	Goodrich,	Lippincott,	Tompkins,
Buchanan,	Gramlich,	Magee,	Varnier,
Bush,	Gross,	Manbeck,	Wall,
Davis,	Guthrie,	Markley,	Weidner,
Dengler,	Haudenschild,	Marsh,	Wescott,
Dennison,	Heavey,	May,	Whittaker,
Donaldson,	Heim,	McCandless,	Willard,
Down,	Henzel,	Merry,	Willaredt,
Edwards,	Hocker,	Miller,	Williams, A. D.,
Elvey,	Holl,	O'Dell,	Williams, E. S.,
Eshback,	Holiday,	Ogilvie,	Wilt,
Eshleman,	Holman,	Price,	Wood,
Esler,	Horst,	Pursley,	Worley,
Ewing,	Isaacs,	Royer,	Wynd,
Fetterolf,	Johnson, A. W.,	Rutherford,	Zember,
Foor,	Johnson, R. P.,	Seltzer,	Zimmerman,
Fox,	Keiser,		

NOT VOTING—12

Bossert,	McInroy,	Munley,	Stiteler,
Heffner,	Mihm,	Odorisio,	Strausser,
Keesler,	Mullen,	Piper,	Ujobal,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1524, entitled:

An Act amending the "Nonprofit Corporation Law" approved May 5, 1933 (P. L. 289), making further provisions relating to nonprofit medical dental and osteopathic service corporations * * * so as to authorize the furnishing of chiropody services by doctors of chiropody.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Public Health and Sanitation.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1525, entitled:

An Act reenacting and amending the "Nonprofit Medical Dental and Osteopathic Service Corporation Act" approved June 27, 1939 (P. L. 1125), including in the plan chiropody services and defining "chiropody services" for the purposes of this act only.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Public Health and Sanitation.

The motion was agreed to.

BILL PASSED OVER

There being no objection,

House bill No. 1604, printer's No. 2018, was passed over at the request of Mr. TOMPKINS.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1616, entitled:

An Act amending "The Permanent Registration Act for Cities of the Second Class Cities of the Second Class A Cities of the Third Class Boroughs Towns and Townships" approved April 29, 1937 (P. L. 487), requiring that registration cards delivered to electors must be uniform.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER. The Chair recognizes the minority leader.

Mr. A. W. JOHNSON. Mr. Speaker, in reading the bill, while we could be wrong about it, it would appear that statewide you would have to have a uniform registration card to be given the voters when they register to vote. I realize that the sponsor had in mind a condition which has been expressed to me that, as he claims, in his county there are different colored cards given depending upon whether you register Democratic or Republican.

This bill seems to be so broad in its application that someone would have to design a standard card and then it would be used statewide. In my own county, the cards that we have would have to be destroyed and we would have to use the card that would be printed and it seems that would put an unnecessary expense on the counties if everybody in the State were required to do this. I really cannot see any necessity for the bill.

What is more, it is to become effective immediately and, if the law were to go into effect, we feel it should not be effective immediately; it should be effective, say, six months from now.

Therefore I believe we should vote against this bill.

The SPEAKER. The Chair recognizes the gentleman from Montgomery, Mr. Fry.

Mr. FRY. Mr. Speaker, the intent of this bill is not to change any counties where they are using a uniform card at the present time. In my county they do not use a uniform card and that is the only thing we want to correct. We do not care what the colors of the cards are as long as they do not discriminate for or against any political group.

I do not believe that this bill, as it is written, would cause any county, at the present time using a uniform card, to change their system.

For that reason I urge the membership to vote for it.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—111

Anderson, S. A.,	Galley,	Long, Wm. Jos.,	Reibman,
Arlene,	Gallagher,	Lutty,	Renwick,
Bachman,	Gelfand,	Maxwell,	Riley,
Boies,	Goldstein, M. H.,	McCann,	Rovansek,
Bonner,	Gray,	McCormack,	Rubin,
Branca,	Greenlee,	McDevitt,	Rudisill,
Breth,	Gremminger,	McDonald,	Sakulsky,
Capano,	Gross,	McKeever,	Scarcelli,
Capitolo,	Guesman,	McLaughlin,	Schaaf,
Caulley,	Hamilton,	McNally,	Schuster,
Cianfrani,	Hankins,	Meholchick,	Shelton,
Cioffi,	Hartley,	Mills,	Sherman,
Clarke,	Haudenshield,	Monroe,	Shupnik,
Comer,	Heavey,	Morley,	Stank,
Cooley,	Irviss,	Mullen,	Stone,
Crossin,	Jenkins,	Murphy,	Sullivan, J. A.,
Curwood,	Jim,	Murray,	Sullivan, T. F.,
Dougherty,	Jones,	Musto,	Taylor,
Doughten,	Kamyk,	Needham,	Tomasick,
Edwards,	Kelly,	O'Donnell, J. A.,	Trusio,
Ellberg,	Klein,	O'Donnell, J. P.,	Verona,
Farabaugh,	Kornick,	Parlante,	Walsh,
Filo,	Kramer,	Pashley,	Wargo,
Fineman,	Lamb,	Perry,	Welsh,
Flynn,	Lawson,	Petrosky,	Williams, A. D.,
Foerster,	Leonard,	Polaski,	Yetter,
Frascella,	Limper,	Polen,	Andrews,
Fry,	Long, Wm. Jas.,	Prendergast,	Speaker

NAYS—88

Adams,	Fulmer,	Kistler,	Simmons,
Anderson, J. H.,	George,	Knecht,	Slack,
Ashton,	Gibb,	Kooker,	Snare,
Auker,	Gibbons,	Korns,	Steckel,
Backenstoe,	Goldstein, J. H.,	Lee, A. M.,	Stimmel,
Blair,	Goodrich,	Lee, K. B.,	Stiteler,
Bower,	Gramlich,	Lippincott,	Thompson,
Bowman,	Guthrie,	Magee,	Tompkins,
Buchanan,	Heffner,	Manbeck,	Varner,
Bush,	Helm,	Markley,	Wall,
Davis,	Henzel,	Marsh,	Weldner,
Dengler,	Hocker,	May,	Wescott,
Dennison,	Holl,	McCandless,	Whittaker,
Donaldson,	Holliday,	Merry,	Willard,
Down,	Holman,	Miller,	Willaredt,
Elvey,	Horst,	O'Dell,	Williams, E. S.,
Eshleman,	Isaacs,	Ogilvie,	Wilt,
Esler,	Johnson, A. W.,	Price,	Wood,
Ewing,	Johnson, R. P.,	Pursley,	Worley,
Fetterolf,	Kelser,	Royer,	Wynd,
Foor,	Kernaghan,	Rutherford,	Zember,
Fox,	King,	Seltzer,	Zimmerman,

NOT VOTING—11

Bossert,	McInroy,	Odorisio,	Strausser,
Eshback,	Mihm,	Piper,	Ujobal,
Kessler,	Munley,	Reidenbach,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1642, entitled:

An Act amending the "Municipal Unclaimed Moneys Act" approved May 17, 1949 (P. L. 1403), changing the disposition of such moneys.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—193

Adams,	Fry,	Lee, A. M.,	Rovansek,
Anderson, J. H.,	Fulmer,	Lee, K. B.,	Royer,
Anderson, S. A.,	Galley,	Leonard,	Rubin,
Arlene,	Gallagher,	Lippincott,	Rudisill,
Ashton,	Gelfand,	Long, Wm. Jas.,	Rutherford,
Auker,	George,	Long, Wm. Jos.,	Sakulsky,
Bachman,	Gibb,	Lutty,	Scarcelli,
Backenstoe,	Gibbons,	Magee,	Schaaf,
Blair,	Goldstein, J. H.,	Manbeck,	Schuster,
Boies,	Goldstein, M. H.,	Markley,	Seltzer,
Bonner,	Goodrich,	Marsh,	Shelton,
Bower,	Gramlich,	Maxwell,	Sherman,
Bowman,	Gray,	May,	Shupaik,
Branca,	Greenlee,	McCandless,	Simmons,
Breth,	Gremminger,	McCann,	Slack,
Buchanan,	Gross,	McCormack,	Snare,
Bush,	Guesman,	McDevitt,	Stank,
Capano,	Guthrie,	McDonald,	Steckel,
Capitolo,	Hamilton,	McKeever,	Stimmel,
Caulley,	Hankins,	McLaughlin,	Stiteler,
Cianfrani,	Hartley,	McNally,	Stone,
Cioffi,	Haudenshield,	Meholchick,	Sullivan, J. A.,
Clarke,	Heavey,	Merry,	Sullivan, T. F.,
Comer,	Heffner,	Miller,	Taylor,
Cooley,	Helm,	Mills,	Thompson,
Crossin,	Henzel,	Monroe,	Tomasick,
Curwood,	Hocker,	Morley,	Tompkins,
Davis,	Holl,	Mullen,	Trusio,
Dengler,	Holman,	Murphy,	Varner,
Dennison,	Horst,	Murray,	Verona,
Donaldson,	Irviss,	Musto,	Wall,
Dougherty,	Jenkins,	Needham,	Walsh,
Doughten,	Jim,	O'Dell,	Wargo,
Down,	Johnson, A. W.,	O'Donnell, J. A.,	Weidner,
Edwards,	Johnson, R. P.,	O'Donnell, J. P.,	Welsh,
Ellberg,	Jones,	Ogilvie,	Wescott,
Elvey,	Kelser,	Parlante,	Willard,
Eshleman,	Kelly,	Pashley,	Willaredt,
Esler,	Kernaghan,	Perry,	Williams, A. D.,
Ewing,	King,	Petrosky,	Williams, E. S.,
Farabaugh,	Kistler,	Polaski,	Wilt,
Fetterolf,	Klein,	Polen,	Wood,
Filo,	Knecht,	Prendergast,	Worley,
Fineman,	Kooker,	Price,	Wynd,
Flynn,	Kornick,	Pursley,	Yetter,
Foerster,	Korns,	Reibman,	Zember,
Foor,	Kramer,	Renwick,	Zimmerman,
Fox,	Lamb,	Riley,	Andrews,
Frascella,			Speaker

NAYS—2

Isaacs,	Whittaker,
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NOT VOTING—15

Bossert,	Kessler,	Mihm,	Reidenbach,
Eshback,	Lawson,	Munley,	Strausser,
Holliday,	Limper,	Odorisio,	Ujobal,
Kamyk,	McInroy,	Piper,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1665, entitled:

An Act amending the "Local Tax Enabling Act" approved June 25, 1947 (P. L. 1145), requiring taxes collected upon the transfer of real property or of any interest in real property to be collected at the county seat.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER. The Chair recognizes the gentleman from Delaware, Mr. Issacs.

Mr. ISAACS. Mr. Speaker, I would like to interrogate the gentleman from Allegheny, Mr. Lamb.

The SPEAKER. Will the gentleman from Allegheny, Mr. Lamb, permit himself to be interrogated?

Mr. LAMB. I shall, Mr. Speaker.

Mr. ISAACS. Mr. Speaker, the only thing that this amendment does is to say that the real estate transfer tax must be collected at the county seat. Is that correct?

Mr. LAMB. That is the intent of the bill, Mr. Speaker.

Mr. ISAACS. Mr. Speaker, what is the purpose of the bill?

Mr. LAMB. Mr. Speaker, the purpose of this bill is to provide that all municipalities that impose a real estate transfer tax shall have these tax stamps available somewhere in the county seat. The need for this bill is obvious when you realize that in some counties every municipality and school district area imposes a real estate transfer tax. Therefore, Mr. Speaker, it is necessary for whomever may be closing the real estate transaction to go into the municipality or into the school district to buy these stamps. This is an unnecessary hardship and we feel that it would be much better if there was a central place where one might go to acquire these tax stamps.

Mr. ISAACS. Now, Mr. Speaker, who would collect this tax?

Mr. LAMB. The bill is silent, Mr. Speaker, about who will collect the tax. However, the municipality imposing the tax can designate someone in the county seat to be the collector. The practice presently, Mr. Speaker, is that the solicitor—I notice it is true in most of the municipalities in Allegheny County—the solicitor for the municipality is the agent or a bank is designated as the agent.

Mr. ISAACS. Mr. Speaker, what provision is there in this bill either to say who will collect it or what commission, if any, they will be paid for the collection?

Mr. LAMB. The question of commission, Mr. Speaker, is left to the municipality involved. All the municipalities when they impose a transfer tax make some indication therein as to what the commission will be for the collector. This bill in no way interferes with the commission.

Mr. ISAACS. I thank the gentleman, Mr. Speaker, and I would like to debate the bill.

The SPEAKER. The gentleman is in order and will proceed.

Mr. ISAACS. Mr. Speaker, I rise to oppose this bill for a number of reasons.

First, and rightly so, it is opposed by the Pennsylvania State tax collectors and I believe by every tax collector in this Commonwealth. I do not know about Allegheny County where the sponsor comes from but in my county the tax is collected by the tax collector of the individual borough or township. In some cases these stamps are issued; in others the deed is stamped that the tax has been paid.

Under interrogation, from the answers of the gentleman from Allegheny, there could be as many collectors as you have municipalities in a county. The bill is very loosely drawn. It does not say who should be the collector other than he should be in the county seat. Under the provisions of this bill, if you had 48 municipalities, you could have 48 different collectors. I think it is poor legislation. It is legislation again attacking home rule, taking your collections away from your local tax collector or treasurer who

is elected for that purpose. It serves no good end that I can see. It is more centralization of government and I ask the members on both sides of this House to defeat this measure.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Kramer.

Mr. KRAMER. Mr. Speaker, I rise to speak in support of the bill. This is a very good bill. It makes for common sense.

In Allegheny County we have over a hundred municipalities collecting this realty transfer tax. And a check of the records will show that over 90 percent of those municipalities now collect that tax in downtown Pittsburgh where almost all the real estate transactions are carried out.

If you would ever experience two real estate closings in one day, where you have to transfer monies around immediately and find out at the closing that you have to travel 12 or 15 miles away to pick up the transfer stamps, you would realize the efficiency that this bill will bring about.

Now most of the municipalities in Allegheny County use their solicitors who in almost all cases have offices downtown, or use downtown banks where the purchaser or the seller who has to pay for stamps and put them on the deeds can purchase stamps.

It makes no sense to me whatsoever to require purchasers and sellers of real estate to travel to the outskirts of some of our large counties to pick up stamps when they could have them downtown and buy the stamps immediately.

I ask all members on both sides of the House to vote in favor of the bill.

The SPEAKER. The Chair recognizes the gentleman from Delaware, Mr. Lippincott.

Mr. LIPPINCOTT. Mr. Speaker, I rise in opposition to this bill. There may be some merit in the arguments raised by the gentleman from Allegheny, but it seems to me that the way this bill is drawn will create utter chaos and confusion. For the people in our county, we have 49 municipalities and about forty or some school districts. All of them have transfer tax resolutions practically. Everyone is slightly different than every other one. This would mean that whoever collects this tax at the county seat, of course the bill does not say who that is, will have to interpret every one of these resolutions every time a ruling came up. Some resolutions and ordinances exempt transfers between husbands and wives; others do not. There are many different changes and different provisions in the different ordinances and resolutions. Under the present system, the solicitor for each school district and municipality who drew the resolution or ordinance interprets it. I think that is the way it should be. This way you are going to put a burden on someone who will have to read everyone of these ordinances and resolutions to decide what they mean and whether a property is included or not included. Another provision that is very nebulous and vague in this is who is going to be paid for interpreting these resolutions and ordinances and collecting the tax. There is nothing in the bill concerning that.

Now, I would like to point out one other point that the gentleman I think overlooks and that is this: I would say, in my county 75 percent of the resolutions and ordinances do not have stamps in them; they merely have

an affidavit or a certification on the deed. There are no stamps being sold. Perhaps, it is common in Allegheny County and our county. I say that this bill, in its present form, would absolutely create tremendous confusion back home in the collection of these taxes and I therefore ask everyone to vote against it.

The SPEAKER. The Chair recognizes the gentleman from Washington, Mr. Murphy.

Mr. MURPHY. Mr. Speaker, I too rise in opposition to this bill. I believe if we are to permit the local authorities to levy a tax, we should also permit them the discretion of naming who shall be their tax collector and, although it may be of convenience to many of us who are solicitors to have these stamps placed in one central locality, we are in a sense infringing upon the home rule of these various taxing bodies and forcing them to go to one place to select their tax collectors. Now, the bill does not say who their tax collectors shall be. It does not guarantee that the tax collector shall be stationed in the courthouse or some other central location. Perhaps every municipality will have twenty or twenty-five people in the city representing the county seat, each individually collecting their real estate transfer tax. This will not simplify matters; it will only complicate them further. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Berks, Mr. Adams.

Mr. ADAMS. Mr. Speaker, I have here in my possession a letter from the president of the Tax Collectors' Association of Pennsylvania, Walter A. Benfield, who happens to be one of my constituents. He expresses opposition to this bill, stating that it tends to "break down" home rule, and I would like to have his letter inserted in the record.

The letter submitted was as follows:

PENNSYLVANIA
STATE TAX COLLECTORS' ASSOCIATION

Office of the President
45 North Sixth Street
Reading, Pa.

June 14, 1961.

Mr. Richard Adams
General Assembly
Harrisburg, Pennsylvania
Dear Mr. Adams:

House Bill No. 1665, Printer's No. 2099, may be coming up before the House in the near future, and we would appreciate your opposing this bill, as it does tend to "break down" Home Rule. We certainly would appreciate your support in helping to oppose this bill.

Very truly yours,
PENNSYLVANIA STATE TAX COLLECTORS'
ASSOCIATION

(signed)
Walter A. Benfield
President

On the question recurring,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—102

Anderson, S. A.,	Galley,	Leonard,	Polen,
Arlene,	Gallagher,	Limper,	Prendergast,
Auker,	Gelfand,	Long, Wm. Jas.,	Reibman,
Bachman	George,	Long, Wm. Jos.,	Reidenbach,
Boles,	Gibb,	Lutty,	Riley,
Bonner,	Goldstein, M. H.,	McCann,	Rubin,

Branca,	Gray,	McCormack,	Scarcelli,
Breth,	Greenlee,	McDevitt,	Schaaf,
Capitolo,	Gremminger,	McDonald	Schuster,
Cauley,	Guesman,	McKeever,	Shelton,
Cianfrani,	Hamilton,	McLaughlin,	Sherman,
Cioffi,	Hankins,	Meholchick,	Shupnik,
Clarke,	Hartley,	Monroe,	Simmons,
Comer,	Haudenschild,	Morley,	Stank,
Cooley,	Heavey,	Mullen,	Stone,
Crossin,	Holman,	Murray,	Sullivan, J. A.,
Curwood,	Jenkins,	Musto,	Taylor,
Dougherty,	Jones,	Needham,	Thompson,
Doughten,	Kamyk,	O'Donnell, J. A.,	Verona,
Ellberg,	Kelly,	O'Donnell, J. P.,	Wargo,
Esler,	Kistler,	Parlante,	Welsh,
Filo,	Klein,	Pashley,	Williams, A. D.,
Fineman,	Kornick,	Perry,	Yetter,
Foerster,	Kramer,	Petrosky,	Zimmerman,
Frascella,	Lamb,	Polaski,	Andrews,
Fry,	Lawson,		Speaker

NAYS—100

Adams,	Fulmer,	Lee, A. M.,	Sakulsky,
Anderson, J. H.	Gibbons,	Lee, K. B.,	Seltzer,
Ashton,	Goldstein, J. H.,	Lippincott,	Slack,
Backenstoe,	Goodrich,	Magee,	Snare,
Blair,	Gramlich,	Manbeck,	Steckel,
Bower,	Gross,	Markley,	Stimmel,
Bowman,	Guthrie,	Marsh,	Stiteler,
Buchanan,	Heffner,	Maxwell,	Sullivan, T. F.,
Bush,	Helm,	May,	Tompkins,
Capano,	Henzel,	McCandless,	Trusio,
Davis,	Hocker,	McInroy,	Ujobai,
Dengler,	Holl,	McNally,	Varner,
Dennison,	Holliday,	Merry,	Wall,
Donaldson,	Horst,	Miller,	Walsh,
Down,	Irvis,	Mills,	Weidner,
Edwards,	Isaacs,	Murphy,	Wescott,
Elvey,	Jim,	O'Dell,	Whittaker,
Eshback,	Johnson, A. W.,	Ogilvie,	Willard,
Eshleman,	Johnson, R. P.,	Price,	Willaredt,
Ewing,	Keiser,	Pursley,	Williams, E. S.,
Farabaugh,	Kernaghan,	Renwick,	Wilt,
Fetterolf,	King,	Rovanseck,	Wood,
Flynn,	Knecht,	Royer,	Worley,
Foor,	Kooker,	Rudisill,	Wynd,
Fox,	Korns,	Rutherford,	Zemmer,

NOT VOTING—8

Bossert,	Mihm,	Odoristo,	Strausser,
Kessler,	Munley,	Piper,	Tomascik,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

(During roll call)

PARLIAMENTARY INQUIRY

The SPEAKER. For what purpose does the minority leader rise?

Mr. A. W. JOHNSON. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. A. W. JOHNSON. When it was properly voted upon the first time the bill failed. Which roll call do we now go by the de facto roll call or the first one?

The SPEAKER. The last roll call is the one that came through in perfect condition. The other jammed as it was coming through and whether it was right or wrong the Chair did not announce the result because he never received the result from the chief clerk.

Mr. A. W. JOHNSON. Was the voting recorded improperly on the first vote on the bill?

The SPEAKER. We would have to have a statement of the mechanical difficulties. The chief clerk reported that he was unable to furnish the Chair with facts as to the roll call. After they had fixed the machine they asked for another roll call.

Mr. A. W. JOHNSON. Mr. Speaker, following the roll call I may have something more to say about this bill.

The SPEAKER. The Chair would like to say there was no recording at the machine. The machine was jammed. The members voted but it was not recorded on the roll call, so there was no record. Of course, until it is finally closed you never know what the final showing is to be anyway.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1667, entitled:

An Act amending "The First Class City Permanent Registration Act" approved March 30, 1937 (P. L. 115), requiring the cancellation of registration of persons reported dead.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—195

Adams,	Fulmer,	Lawson,	Royer,
Anderson, J. H.	Galley,	Lee, A. M.,	Rubin,
Anderson, S. A.,	Gallagher,	Lee, K. B.,	Rudisill,
Arlene,	Gelfand,	Leonard,	Rutherford,
Ashton,	George,	Limper,	Sakulsky,
Auker,	Gibb,	Lippincott,	Scarcelli,
Bachman	Gibbons,	Long, Wm. Jas.,	Schaaf,
Backenstoe,	Goldstein, J. H.,	Long, Wm. Jos.,	Schuster,
Blair,	Goldstein, M. H.,	Lutty,	Seltzer,
Bonner,	Goodrich,	Magee,	Shelton,
Bower,	Gramlich,	Manbeck,	Sherman,
Bowman,	Gray,	Markley,	Shupnik,
Branca,	Greenlee,	Marsh,	Simmons,
Breth,	Gremminger,	Maxwell,	Slack,
Buchanan,	Gross,	May,	Snare,
Bush,	Guesman,	McCandless,	Stank,
Capano,	Guthrie,	McCann,	Steckel,
Capitolo,	Hamilton,	McCormack,	Stimmel,
Cauley,	Hankins,	McDonald,	Stiteler,
Cianfrani,	Hartley,	McInroy,	Stone,
Cioffi,	Haudenshield,	McKeever,	Sullivan, J. A.,
Clarke,	Heavey,	McLaughlin,	Sullivan, T. F.,
Comer,	Heffner,	Meholchick,	Taylor,
Cooley,	Helm,	Merry,	Thompson,
Crossin,	Henzel,	Miller,	Tomasick,
Curwood,	Hocker,	Mills,	Tompkins,
Davis,	Holl,	Monroe,	Trusio,
Dengler,	Holliday,	Morley,	Ujobai,
Dennison,	Holman,	Murphy,	Varner,
Donaldson,	Irvis,	Musto,	Verona,
Dougherty,	Isaacs,	Needham,	Wall,
Doughten,	Jenkins,	O'Dell,	Walsh,
Down,	Jim,	O'Donnell, J. A.,	Wargo,
Edwards,	Johnson, A. W.,	O'Donnell, J. P.,	Weidner,
Elvey,	Johnson, R. P.,	Ogilvie,	Welsh,
Eshback,	Jones,	Parlante,	Wescott,
Eshleman,	Kamyk,	Pashley,	Whittaker,
Esler,	Keiser,	Perry,	Willard,
Ewing,	Kelly,	Petrosky,	Willaredt,
Farabaugh,	Kernaghan,	Polasky,	Williams, A. D.,
Fetterolf,	King,	Polen,	Williams, E. S.,
Filo,	Kistler,	Prendergast,	Wilt,
Fineman,	Klein,	Price,	Wood,
Flynn,	Knecht,	Pursley,	Worley,
Foerster,	Kooker,	Reibman,	Wynd,
Foor,	Kornick,	Reidenbach,	Yetter,
Fox,	Korns,	Renwick,	Zember,
Frascella,	Kramer,	Riley,	Zimmerman,
Fry,	Lamb,	Rovansek,	Andrews,
			Speaker

NAYS—3

Boies, Murray, Yetter,

NOT VOTING—12

Bossert,	Kessler,	Mihm,	Odorisio,
Elberg,	McDevitt,	Mullen,	Piper,
Horst,	McNally,	Munley,	Strausser,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1666, entitled:

An Act amending "The Permanent Registration Act for Cities of the Second Class Cities of the Second Class A Cities of the Third Class Boroughs Towns and Townships" approved April 29, 1937 (P. L. 487) requiring the cancellation of registrations of persons reported dead.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

Adams,	Frascella,	Lawson,	Riley,
Anderson, J. H.	Fry,	Lee, A. M.,	Rovansek,
Anderson, S. A.,	Fulmer,	Lee, K. B.,	Rubin,
Arlene,	Galley,	Leonard,	Rudisill,
Ashton,	Gallagher,	Limper,	Rutherford,
Auker,	Gelfand,	Lippincott,	Sakulsky,
Bachman	George,	Long, Wm. Jas.,	Scarcelli,
Backenstoe,	Gibbons,	Long, Wm. Jos.,	Schaaf,
Blair,	Goldstein, J. H.,	Lutty,	Schuster,
Bonner,	Goldstein, M. H.,	Magee,	Seltzer,
Bower,	Goodrich,	Manbeck,	Shelton,
Bowman,	Gray,	Markley,	Sherman,
Branca,	Greenlee,	Marsh,	Shupnik,
Breth,	Gremminger,	Maxwell,	Simmons,
Buchanan,	Gross,	May,	Slack,
Bush,	Guesman,	McCandless,	Stank,
Capano,	Guthrie,	McCann,	Steckel,
Capitolo,	Hamilton,	McDonald,	Stimmel,
Cauley,	Hankins,	McInroy,	Stiteler,
Cianfrani,	Hartley,	McKeever,	Stone,
Cioffi,	Haudenshield,	McLaughlin,	Sullivan, J. A.,
Clarke,	Heffner,	McNally,	Sullivan, T. F.,
Comer,	Helm,	Meholchick,	Thompson,
Cooley,	Henzel,	Merry,	Tomasick,
Crossin,	Hocker,	Miller,	Tompkins,
Curwood,	Holl,	Mills,	Trusio,
Davis,	Holliday,	Monroe,	Ujobai,
Dengler,	Holman,	Morley,	Varner,
Dennison,	Irvis,	Mullen,	Verona,
Donaldson,	Isaacs,	Murphy,	Wall,
Dougherty,	Jenkins,	Musto,	Wargo,
Doughten,	Jim,	Needham,	Weidner,
Down,	Johnson, A. W.,	O'Dell,	Welsh,
Edwards,	Johnson, R. P.,	O'Donnell, J. A.,	Wescott,
Elberg,	Jones,	O'Donnell, J. P.,	Whittaker,
Elvey,	Kamyk,	Ogilvie,	Willard,
Eshback,	Keiser,	Parlante,	Willaredt,
Eshleman,	Kelly,	Perry,	Williams, A. D.,
Esler,	Kernaghan,	Petrosky,	Williams, E. S.,
Ewing,	King,	Polaski,	Wilt,
Farabaugh,	Kistler,	Polen,	Wood,
Fetterolf,	Klein,	Prendergast,	Worley,
Filo,	Knecht,	Price,	Wynd,
Fineman,	Kooker,	Pursley,	Yetter,
Flynn,	Kornick,	Reibman,	Zember,
Foerster,	Korns,	Reidenbach,	Zimmerman,
Foor,	Kramer,	Renwick,	Andrews,
Fox,	Lamb,		Speaker

NAYS—3

Murray, Taylor, Walsh,

NOT VOTING—17

Boies,	Horst,	Mihm,	Piper,
Bossert,	Kessler,	Munley,	Royer,
Gibb,	McCormack,	Odorisio,	Snare,
Gramlich,	McDevitt,	Pashley,	Strausser,
Heavey,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1672, entitled:

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333), providing for returns indicating the number of votes cast by the electors of each party.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

Adams,	Frascella,	Lawson,	Royer,
Anderson, J. H.	Fry,	Lee, A. M.,	Rubin,
Anderson, S. A.,	Fulmer,	Lee, K. B.,	Rudisill,
Arlene,	Galley,	Leonard,	Rutherford,
Ashton,	Gallagher,	Limper,	Sakulsky,
Auker,	Gelfand,	Lippincott,	Scarcelli,
Bachman,	George,	Long, Wm. Jas.,	Schaaf,
Backenstoe,	Gibbons,	Long, Wm. Jos.,	Schuster,
Blair,	Goldstein, J. H.,	Lutty,	Seltzer,
Boles,	Goldstein, M. H.,	Magee,	Shelton,
Bonner,	Goodrich,	Manbeck,	Sherman,
Bower,	Gramlich,	Markley,	Shupnik,
Bowman,	Gray,	Marsh,	Simmons,
Branca,	Greenlee,	Maxwell,	Slack,
Breth,	Gremminger,	McCandless,	Snare,
Buchanan,	Gross,	McCann,	Stank,
Bush,	Guesman,	McCormack,	Steckel,
Capano,	Guthrie,	McDevitt,	Stiteler,
Capitolo,	Hamilton,	McDonald,	Stone,
Cauley,	Hankins,	McInroy,	Sullivan, J. A.,
Cloffi,	Hartley,	McKeever,	Sullivan, T. F.,
Clarke,	Haudenschild,	McLaughlin,	Taylor,
Comer,	Heavey,	McNally,	Thompson,
Cooley,	Heffner,	Meholchick,	Tomascik,
Crossin,	Helm,	Merry,	Tompkins,
Curwood,	Henzel,	Miller,	Trusio,
Davis,	Hocker,	Mills,	Ujobai,
Dengler,	Holl,	Monroe,	Varner,
Dennison,	Holman,	Morley,	Verona,
Donaldson,	Irviss,	Mullen,	Wall,
Dougherty,	Isaacs,	Murphy,	Walsh,
Doughten,	Jenkins,	Musto,	Wargo,
Down,	Jim,	Needham,	Weidner,
Edwards,	Johnson, R. P.,	O'Donnell, J. P.,	Welsh,
Eilberg,	Jones,	Ogilvie,	Wescott,
Elvey,	Kamyk,	Parlante,	Willard,
Eshback,	Keiser,	Pashley,	Willaredt,
Eshleman,	Kelly,	Perry,	Williams, A. D.,
Esler,	Kernaghan,	Polski,	Williams, E. S.,
Ewing,	King,	Polen,	Wilt,
Farabaugh,	Kistler,	Prendergast,	Wood,
Fetterolf,	Klein,	Pursley,	Worley,
Filo,	Knecht,	Reibman,	Wynd,
Fineman,	Kooker,	Reidenbach,	Yetter,
Flynn,	Kornick,	Renwick,	Zemmer,
Foerster,	Korns,	Riley,	Zimmerman,
Foor,	Kramer,	Rovansek,	Andrews,
Fox,	Lamb,		Speaker

NAYS—7

Gibb,	May,	O'Dell,	Price,
Holliday,	Murray,	O'Donnell, J. A.,	

NOT VOTING—13

Bossert,	Kessler,	Odorisio,	Stimmel,
Cianfrani,	Mihm,	Petrosky,	Strausser,
Horst,	Munley,	Piper,	Whittaker,
Johnson, A. W.,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1678, entitled:

An Act amending the act of June 22, 1935 (P. L. 414), entitled as amended "An act to provide revenue for State purposes imposing taxes upon certain classes of personal property providing for the assessment collection and lien of the same and the distribution of the proceeds thereof imposing duties on executors administrators registers of wills * * *" providing that certain corporations doing business with professional school employes shall not be subject to the provision of the act.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Lee.

Mr. A. M. LEE. Speaker, House bill 1678, as I understand it, is an attempt to relieve a business corporation, that is a corporation for profit, from the payment of the corporate-loans tax.

The information available to me indicates that this bill applies to one corporation which is engaged in the business of receiving deposits and lending the money to employes of the Philadelphia school system at interest.

I would only say, in my opinion, being a corporation for profit, if we relieve them from the payment of the corporate-loans tax it certainly is not going to benefit the employes of the school system, but would only benefit the stockholders of the corporation.

Therefore, I think it is a bad precedent to set. I think the bill makes a rather narrow classification which probably is unconstitutional. I therefore ask the members to vote against it.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Eilberg.

Mr. EILBERG. Mr. Speaker, may I interrogate the gentleman from Philadelphia, Mr. Lee?

The SPEAKER. Will the gentleman from Philadelphia, Mr. Lee, permit himself to be interrogated?

Mr. A. M. LEE. I shall, Mr. Speaker.

Mr. EILBERG. Mr. Speaker, is it not a fact that the gentleman from Philadelphia, Mr. Lee, represents the Philadelphia Teachers' Credit Union, which would be hurt competitively by the organization of which he is now complaining?

Mr. A. M. LEE. In answer to the gentleman's interrogation, Mr. Speaker, it is true that in my private law practice I represent the Philadelphia Teachers' Credit Union; my office has represented them for a period of some 20 years.

As far as their being hurt by the passage of this particular legislation, I would say that as far as they are concerned they would be no more hurt than any other credit union in the State of Pennsylvania, any other building and loan, Federal savings and loan, or bank, or any other institution that is in the business of accepting deposits and lending out the money at interest.

Mr. EILBERG. Mr. Speaker, is it not a fact that the Philadelphia Teachers' Credit Union competes with the organization of which the gentleman complains?

Mr. A. M. LEE. I did not understand. Is it not a fact that they do what?

Mr. EILBERG. Compete.

Mr. A. M. LEE. I would say in the nature of the thing certainly they would be in competition, and as I have indicated there would be competition with any institution of a similar nature.

Mr. EILBERG. That is all.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Dougherty.

Mr. DOUGHERTY. Mr. Speaker, all this bill does is to release from the corporate-loans tax any institution of this type. This is a very good bill, in my estimation, and I ask the members to vote for it.

The SPEAKER. The Chair recognizes the gentleman from Cameron, Mr. Tompkins.

Mr. TOMPKINS. Mr. Speaker, I would like to interrogate either Mr. Eilberg or Mr. Dougherty, or somebody familiar with the terms of this bill.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. EILBERG. I shall.

Mr. Speaker, may I suggest that Mr. Gelfand would consent to be interrogated if Mr. Tompkins would like any questions answered.

Mr. TOMPKINS. Mr. Speaker, if this bill passes, is it true that the corporate-loans taxes to which this company or corporation would be subjected would be relieved of those taxes in the State of Pennsylvania?

Mr. GELFAND. I did not hear the question clearly, and if the gentleman will repeat it I will endeavor to answer it if I can.

Mr. TOMPKINS. Mr. Speaker, if this bill passes, would not this corporation be relieved from the payment of its corporate-loan taxes to the Commonwealth of Pennsylvania?

Mr. GELFAND. When the gentleman says "this corporation," I do not know whereof he speaks. If his question is directed to the amendment and the question is: Will it relieve corporations which qualify under this amendment, the answer is yes, it will relieve them of a 4-mill corporate-loan tax.

Mr. TOMPKINS. Would that not be transferred to the holders of those obligations for personal property tax under the form for the 6-mill personal-property tax in Philadelphia?

Mr. GELFAND. Mr. Speaker, it would transfer that tax in local counties which have a 4-mill personal-property tax to the holder of the note, judgment note, or type of indebtedness—representation of indebtedness. The answer is, yes.

Mr. TOMPKINS. Does not Philadelphia have a 4- or 6-mill tax on personal property?

Mr. GELFAND. The answer to that question is also, yes.

Mr. TOMPKINS. That is all, Mr. Speaker. I thank the gentleman.

Mr. TOMPKINS. Mr. Speaker, the gentleman's answer to my interrogation indicates that this bill would eliminate taxes due the State of Pennsylvania and transfer those taxes into the coffers of the city of Philadelphia. I

do not believe that is a very good procedure with what we have been hollering about for taxes at the Commonwealth level. Furthermore, I have raised the question as to whether or not this might not constitute an unreasonable classification and therefore be declared unconstitutional.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—106

Anderson, S. A.,	Galley,	Maxwell,	Reibman,
Ariene,	Gallagher,	McCann,	Reidenbach,
Bachman	Gelfand,	McCormack,	Renwick,
Boles,	Gray,	McDevitt,	Riley,
Bonner,	Greenlee,	McDonald	Rovanssek,
Branca,	Gremminger,	McKeever,	Rubin,
Breth,	Guesman,	McLaughlin,	Rudisill,
Capano,	Hamilton,	McNally,	Sakulsky,
Capitolo,	Hankins,	Meholchick,	Scarcelli,
Cauley,	Hartley,	Mills,	Schaaf,
Cianfrani,	Heavey,	Monroe,	Schuster,
Cioffi,	Irvie,	Morley,	Shelton,
Clarke,	Jenkins,	Mullen,	Sherman,
Comer,	Jim,	Murphy,	Shupnik,
Cooley,	Jones,	Murray,	Stank,
Crossin,	Kamyk,	Musto,	Stone,
Curwood,	Kelly,	Needham,	Sullivan, J. A.,
Dougherty,	Klein,	O'Donnell, J. A.,	Sullivan, T. F.,
Doughten,	Kornick,	O'Donnell, J. P.,	Taylor,
Eilberg,	Kramer,	Parlante,	Tomascik,
Farabaugh,	Lamb,	Pashley,	Trusio,
Filo,	Lawson,	Perry,	Verona,
Fineman,	Leonard,	Petrosky,	Walsh,
Flynn,	Limper,	Polaski,	Wargo,
Foerster,	Long, Wm. Jas.,	Polen,	Welsh,
Frascella,	Long, Wm. Jos.,	Prendergast,	Andrews,
Fry,	Lutty,		Speaker

NAYS—96

Adams,	George,	Kistler,	Slack,
Anderson, J. H.	Gibb,	Knecht,	Snare,
Ashton,	Gibbons,	Kooker,	Steckel,
Auker,	Goldstein, J. H.,	Korns,	Stimmel,
Backenstoe,	Goldstein, M. H.,	Lee, A. M.,	Stiteler,
Blair,	Goodrich,	Lee, K. B.,	Tompson,
Bower,	Gramlich,	Lippincott,	Tompkins,
Bowman,	Gross,	Magee,	Ujobal,
Buchanan,	Guthrie,	Manbeck,	Varner,
Bush,	Haudenshield,	Markley,	Wall,
Davis,	Heffner,	Marsh,	Weldner,
Dengler,	Helm,	May,	Wescott,
Dennison,	Henzel,	McCandless,	Whittaker,
Donaldson,	Hocker,	McInroy,	Willard,
Down,	Holl,	Merry,	Willaredt,
Edwards,	Holliday,	Miller,	Williams, A. D.,
Elvey,	Holman,	O'Dell,	Williams, E. S.,
Eshleman,	Horst,	Ogilvie,	Wilt,
Esler,	Isaacs,	Price,	Wood,
Ewing,	Johnson, A. W.,	Pursley,	Worley,
Fetterolf,	Johnson, R. P.,	Royer,	Wynd,
Foor,	Kelser,	Rutherford,	Yetter,
Fox,	Kernaghan,	Seltzer,	Zemmer,
Fulmer,	King,	Simmons,	Zimmerman,

NOT VOTING—8

Bossert,	Kessler,	Munley,	Piper,
Eshback,	Mihm,	Odorisio,	Strausser,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1704, entitled:

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333), further regulating

the dates for furnishing information as to offices to be filled * * * and further regulating the date for certification of nominees by the Secretary of the Commonwealth.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—106

Anderson, S. A.,	Galley,	Maxwell,	Reidenbach,
Arlene,	Gallagher,	McCann,	Renwick.
Bachman	Gelfand,	McCormack,	Riley,
Boles,	Gray,	McDevitt,	Rovansek,
Bonner,	Greenlee,	McDonald	Rubin,
Branca,	Gremminger,	McKeever,	Rudisill,
Breth,	Guesman,	McLaughlin,	Sakuisky,
Capano,	Hamilton,	McNally,	Scarcelli,
Capitolo,	Hankins,	Meholchick,	Schaaf,
Cauley,	Hartley,	Mills,	Schuster,
Cianfrani,	Heavey,	Monroe,	Shelton,
Cioffi,	Irvis,	Morley,	Sherman,
Clarke,	Jenkins,	Mullen,	Shupnik,
Comer,	Jim,	Murphy,	Stank,
Cooley,	Jones,	Murray,	Stone,
Crossin,	Kamyk,	Musto,	Sullivan, J. A.,
Curwood,	Kelly,	Needham,	Sullivan, T. F.,
Dougherty,	Klein,	O'Donnell, J. A.,	Taylor,
Doughten,	Kornick,	O'Donnell, J. P.,	Tomasick,
Ellberg,	Kramer,	Parlante,	Trusio,
Farabaugh,	Lamb,	Pashley,	Verona,
Filo,	Lawson,	Perry,	Walsh,
Fineman,	Leonard,	Petrosky,	Wargo,
Flynn,	Limper,	Polaski,	Welsh,
Foerster,	Long, Wm. Jas.,	Prendergast,	Yetter,
Frascella,	Long, Wm. Jos.,	Reibman,	Andrews,
Fry,	Lutty,		Speaker

NAYS—95

Adams,	George,	Kistler,	Slack,
Anderson, J. H.	Gibb,	Knecht,	Snare,
Ashton,	Gibbons,	Kooker,	Steckel,
Auker,	Goldstein, J. H.,	Korns,	Stimmel,
Backenstoe,	Goldstein, M. H.,	Lee, A. M.,	Stitteler,
Blair,	Goodrich,	Lee, K. B.,	Thompson,
Bower,	Gramlich,	Lippincott,	Tompkins,
Bowman,	Gross,	Magee,	Ujobai,
Buchanan,	Guthrie,	Manbeck,	Varner,
Bush,	Haudenschild,	Markley,	Wall,
Davis,	Heffner,	Marsh,	Weidner,
Dengler,	Helm,	May,	Wescott,
Dennison,	Henzel,	McCandless,	Whittaker,
Donaldson,	Hocker,	McInroy,	Willard,
Down,	Holl,	Merry,	Willaredt,
Edwards,	Holliday,	Miller,	Williams, A. D.,
Elvey,	Holman,	O'Dell,	Williams, E. S.,
Eshleman,	Horst,	Ogilvie,	Wilt,
Esler,	Isaacs,	Price,	Wood,
Ewing,	Johnson, A. W.,	Pursley,	Worley,
Fetterolf,	Johnson, R. P.,	Royer,	Wynd,
Foor,	Kelser,	Rutherford,	Zember,
Fox,	Kernaghan,	Seltzer,	Zimmerman,
Fulmer,	King,	Simmons,	

NOT VOTING—9

Bossert,	Mihm,	Odorislo,	Polen,
Eshback,	Munley,	Piper,	Strausser,
Kessler,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Mr. McCANN. Mr. Speaker, I call up on today's calendar, bills on second reading, House bill No. 226.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 226, entitled:

An Act abolishing the penalty of death for any offense for which it presently is a penalty and providing life imprisonment as the sole penalty for any offense for which death is presently a penalty.

The first section was read.

On the question,

Will the House agree to the section?

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. McCormack. For what purpose does the gentleman rise?

Mr. McCORMACK. Mr. Speaker, I offer the following amendments to House bill 226.

The SPEAKER. The amendments will be sent to the desk and read.

The gentleman from Philadelphia, Mr. McCormack, has the floor for the reading of his amendments and for his discussion of his amendments. As long as he confines himself to the discussion of the amendments, he has the floor until he has terminated. At the termination of his discussion, other motions of higher priority are in order.

The amendments are rather lengthy. Will the clerk just read them the short way and then the gentleman from Philadelphia explain his amendments?

Mr. McCORMACK. I will be glad to do that, Mr. Speaker.

Mr. McCORMACK offered the following amendments:

Amend Title, page 1, first line of Title, by striking out "Abolishing" and inserting Providing for a referendum to determine the will of the electorate with respect to abolishing

Amend Sec. 1, page 1, lines 1 and 2, by striking out both of said lines

Amend Sec. 2, page 2, lines 1, 2 and 3, by striking out all of said lines

Amend Sec. 3, page 2, lines 4 and 5, by striking out both of said lines, and inserting

Section 1. At the election in the year 1961 there shall be submitted in the manner provided by the election laws of the Commonwealth of Pennsylvania, a question to determine the will of the electorate of the Commonwealth in regard to abolishing the penalty of death for any offense for which it is presently an offense, and providing for life imprisonment as the sole penalty in lieu thereof. The question shall be in the following form: Do you favor the abolition of the penalty of death for any offense for which it presently is a penalty and the imposition as the sole penalty—the penalty of life imprisonment in lieu thereof?

Section 2. The question shall be printed on separate ballots in bound form by the county commissioners of each county. A sufficient number of ballots shall be furnished to the election officers in each election district of every county so that one ballot may be supplied to each voter at the election. In districts where voting machines are used, the question shall appear on the face of the machine where the machine is properly equipped for the purpose.

Section 3. The results of the election shall be tabulated by the proper election officials of each county and the results thereof certified to the Secretary of the Commonwealth who shall certify the results thereof to the General Assembly. The General Assembly shall enact legislation to carry out the will of the electors as shown by the return of the election.

On the question,

Will the House agree to the amendments?

Mr. McCORMACK. Mr. Speaker, as we all know, House bill 226 has to do with abolishing the penalty of death for the crime of murder in the first degree in the Commonwealth.

These amendments which I have just offered merely amend this bill by providing that the people at the general election in 1961 on a referendum vote should decide the question as to whether or not the Commonwealth of Pennsylvania should abolish the penalty of death for murder and in its place substitute life imprisonment solely. That is the intent and purpose of these amendments.

The reason, Mr. Speaker, I am offering these amendments at the present time is because of my belief that this bill has evoked, more than any other bill presently before the General Assembly, a host of controversy and criticism. As a result of the individual letters that I have received, not only from constituents, but from learned scholars and legal men in Pennsylvania, it has been indicated to me that this is such an important and fundamental issue that the people themselves should have the right to vote on it. Throughout the years there has been a lot of discussion as to the merits of a bill to abolish capital punishment. It is my firm conviction, because this has to do with life and death over individuals, that we can only truly get the will of all the people of Pennsylvania by submitting the question to them for their determination.

I am well aware of the fact that there is sentiment to recommit this bill, but I ask you, after I discuss this, that you not make such a motion because this is going to plague us every year that we come back to Harrisburg. The question is going to be with us, and I think that we ought to know, and we ought to know this year, especially after the Governor and members of his administration have expressed an opinion with respect to the abolition of capital punishment. I would like to know this year so I can decide once and for all what the vast majority of the people of Pennsylvania want to do about capital punishment.

So I therefore ask that, after weighing it carefully, you decide whether or not you feel this issue is so important that we should give it directly to the people for their ultimate and wise decision.

The SPEAKER. For what purpose does the majority leader rise?

Mr. McCANN. Mr. Speaker, I rise simply for the purpose of stating that at the last minute the gentleman from Allegheny, Mr. Goldstein, has come over here and informed me that he has a set of amendments to the bill.

The SPEAKER. The gentleman from Allegheny does not have the floor and whoever is next recognized by the Chair has the floor.

The Chair recognizes the gentleman from Philadelphia, Mr. Eilberg.

Mr. EILBERG. Mr. Speaker, I will yield to the gentleman from Allegheny, Mr. Goldstein.

The SPEAKER. That is all right with the Chair, but you cannot confuse the procedure. If you were proceeding on that basis, the amendments offered by the gentleman from Philadelphia will first have to be disposed of and voted on.

Does the gentleman from Philadelphia, Mr. Eilberg, desire to be recognized?

The Chair recognizes the gentleman from Philadelphia, Mr. Eilberg.

MOTION TO RECOMMIT

Mr. EILBERG. Mr. Speaker, with due respect for my colleague from Philadelphia, Mr. McCormack, I at this time move that House bill 226, printer's No. 234, be re-committed to the Committee on rules.

On the question,

Will the House agree to the motion?

Mr. McCORMACK. Mr. Speaker, may I interrogate the gentleman from Philadelphia, Mr. Eilberg?

The SPEAKER. Will the gentleman from Philadelphia, Mr. Eilberg, permit himself to be interrogated?

Mr. EILBERG. I shall, Mr. Speaker.

Mr. McCORMACK. Mr. Speaker, what is the purpose of recommitment to the Committee on Rules?

Mr. EILBERG. Does the gentleman refer to the question of recommitment or to the question of the committee to which the motion is referred?

Mr. McCORMACK. I am sorry, Mr. Speaker, I did not understand or I did not hear the answer to the question.

The SPEAKER. The gentleman says, does the gentleman from Philadelphia, Mr. McCormack, refer to the recommitment or to the committee to which it was referred? Which is he questioning?

Mr. McCORMACK. If he can separate them, give me two answers; if not, give me one.

I question the reason for the recommitment, not to the Rules Committee, but to any committee at this stage of the game.

Mr. EILBERG. Mr. Speaker, one of the considerations in my mind at this time is the fact which may not yet be known to all the members of the House—

The SPEAKER. If the gentleman is about to refer to action as taken in another place, the Chair would have to hold that he was out of order.

Mr. EILBERG. Very well, I will not refer to the action in the other place.

Mr. Speaker, I feel that this bill is a bad bill and I certainly feel that passing a difficult question on to the voters is no way of solving this problem. I feel that should this question appear on the ballot, and I did not hear the amendments or see the amendments as to whether they—

The SPEAKER. The Chair would remind the gentleman that the question is on recommitment and not the amendments proposed by the gentleman from Philadelphia.

Mr. EILBERG. Mr. Speaker, I disagree with the principles set forth in this bill. I think that the matter should be studied further by the committee because it is so controversial.

Mr. McCORMACK. What committee did this come out of Mr. Speaker?

Mr. EILBERG. Judiciary Special.

Mr. McCORMACK. Has it never been to the Rules Committee?

Mr. EILBERG. I do not believe so.

Mr. McCORMACK. I did not hear the gentleman.

The SPEAKER. It was placed in the custody of the

Rules Committee with the understanding that later on it would be reported during this session.

Mr. McCORMACK. Was the bill discussed in the Rules Committee?

The SPEAKER. As the gentleman well knows, that is a perfectly improper question.

Mr. McCORMACK. I did not ask what the discussion was.

Mr. Speaker, I am not debating with the Speaker. If you want to be interrogated, I would appreciate it if you would appoint—

The SPEAKER. The Chair is in error. I thought we did send it back, but it was another bill. It was referred to the Committee on Judiciary Special, recommitted to the Committee on Rules on February 20, re-reported as committed from the Committee on Rules on June 20.

Mr. McCORMACK. Mr. Speaker, I am interrogating the gentleman from Philadelphia, Mr. Eilberg. If you desire to be interrogated, I would be glad to interrogate you, but I do not think I should interrogate you while you are in the Speaker's chair.

The SPEAKER. The gentleman asks for information; the Chair furnishes the information asked.

Mr. McCORMACK. Mr. Speaker, the reason for recommitment is so that the Rules Committee might study it, and my question, I think, is a fair one; it is reasonable and in compliance with the rules. I just asked whether or not—

The SPEAKER. The Chair does not want to get into an argument with the gentleman from Philadelphia, but the Chair is perfectly cognizant of the reasons why he asks. The chair asks as one of the sponsors of the bill that, rather than riding on the calendar day after day, it be referred to the custody of the Rules Committee with the understanding that during this session it would be reported for action on the floor.

Mr. McCORMACK. But my question is, was it discussed in the Rules Committee?

The SPEAKER. It was referred to the Rules Committee with the prior understanding that at the proper time, sometime during this session, it would be reported.

Mr. McCANN. Mr. Speaker, as Chairman of the Rules Committee, I can properly say that the legislation was discussed, the same as any other piece of legislation in any other committee is discussed.

Mr. McCORMACK. Inasmuch as it was discussed in the Rules Committee, Mr. Speaker, then what further discussion would be necessary? I do not know who has the floor.

The SPEAKER. If the gentleman from Philadelphia does not soon find out in which direction he is going, he will not have the floor.

Mr. McCORMACK. Mr. Speaker, I am not worried about where I am going; I am worried about where the bill is going.

Mr. Speaker, may I ask you sincerely whether the motion to recommit is to pickle the bill or to discuss it further?

Mr. SPEAKER. I have answered.

Mr. McCORMACK. Not you, Mr. Speaker, this is—

Mr. SPEAKER. I am answering because I was the primary agent as one of the sponsors of the bill. I knew there would not be early action and, rather than have this

bill riding week after week on the second reading calendar, I thought it was better that it be sent to some responsible committee with the understanding that at the proper time, sometime before the session ended, that committee would re-report it. That was done at the request of the Chair and at the request of the gentleman from Cambria, one of the sponsors of the bill.

Mr. McCORMACK. I understand that, Mr. Speaker, perfectly, but I am worried about the future now. Is the bill going back? And I am directing this to Mr. Eilberg through the Chair.

The SPEAKER. Now the gentleman is heading in the right direction. He can ask a proper question, any proper question, of the gentleman from Philadelphia, Mr. Eilberg, who, at his discretion, is privileged to answer or refuse to answer.

Mr. McCORMACK. Is this motion to recommit a sincere desire to discuss this matter further or is it for the purpose of killing the bill permanently?

Mr. EILBERG. Mr. Speaker, let me observe, first, that the recommitment to the Rules Committee on February 20, as I recall it, had in mind the fact that a separate hearing was taking place on this very subject, and, rather than have the thing lay on the calendar, it would be taken off the calendar during this separate investigation which was taking place. It is my recollection that the Rules Committee never discussed House bill No. 226. I, therefore, say that by recommitting it to the Rules Committee now it will give us an opportunity in the committee to discuss the bill.

Mr. McCORMACK. Mr. Speaker, on this recommitment motion, my amendments are not part of the bill that is being recommitment. Is that correct, Mr. Speaker?

The SPEAKER. The amendments will travel along with the bill if the motion prevails. Your proposed amendments will also be in the custody of the Rules Committee if the motion to recommit prevails.

Mr. McCORMACK. If I withdrew the amendments now, would you withdraw the motion and let the bill come up for a vote?

The SPEAKER. The Chair did not make the motion. The Chair cannot deny the gentleman from Philadelphia, Mr. Eilberg, the privilege of making the motion to recommit. The only thing before the House is the motion to recommit.

Mr. McCORMACK. Well, Mr. Eilberg, if I withdrew the amendments, would you be satisfied with the bill in that form?

Mr. EILBERG. I feel that the bill should be studied further by the Rules Committee.

Mr. McCORMACK. That is all I have, Mr. Speaker.

I would like to address myself very briefly to this motion.

The SPEAKER. The gentleman is in order., ,

Mr. McCORMACK. Mr. Speaker, despite the interrogation, I am convinced that this bill will definitely not again see the light of day in this session. That is a prediction that I can make with a reasonable degree of accuracy.

Now, personally, at this stage of the game I am against the bill, but at the same time I recognize and I ask the other members to recognize the fact that this is a perennial problem and we cannot sweep it under the rug forever. We are going to have pressure groups and other

groups coming up constantly asking us to do something about it. We have the attorney general who is in favor of it. Even the Governor went on record, I believe, as favoring abolishment. So we are going to get this pressure and I say, do not recommit the bill. Vote on it. Make an intelligent decision. Examine your consciences. If you are in favor of it, vote for it; if you are against it, vote against it, but do not sweep it under the rug. We have got to live with this. We have got to probe into the minds of the criminals to decide whether this is a good time to abolish the death penalty. There are all sorts of arguments that you can make on a motion to recommit, but at the same time it deserves a hearing on the merits, and we cannot give it that under the parliamentary procedure on a motion to recommit.

For goodness sakes, vote against this motion and then do what your consciences dictate. I ask you to vote against the motion to recommit.

The SPEAKER. The Chair recognizes the gentleman from Adams, Mr. Worley.

Mr. WORLEY. Mr. Speaker, I rise to oppose this motion to recommit.

This General Assembly has had the taxpayers pay for public hearings and reports on whether or not this legislation should be enacted into law. Lives are waiting in the death cells of this Commonwealth pending the outcome of this legislation and the people of Pennsylvania have not sent us here to pass the buck.

We must be statesmen in our small way. We must stand for the right as God gives us the inner light to see the right. I say we must vote against this motion to recommit and then we must have courage to take our stand for right as we now see it, whatever that shall be.

Mr. Speaker, a vote to recommit is a vote for capital punishment. I say that a vote to recommit is a vote for the death penalty in Pennsylvania. I ask you to vote against this motion to recommit and I ask for a recorded roll call.

Let us have a chance to face this issue and let us have a chance to wipe this barbaric law from the statute books of this Commonwealth.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Fineman.

Mr. FINEMAN. Mr. Speaker, I rise to oppose this motion for recommitment.

I want it clearly understood that in so doing I am not expressing any opinion either in favor of, or against, the bill. I do not address myself to the merits of this bill, but I think that every legislator in this House knows there is not a single piece of legislation that has been presented to us this session about which more controversy has arisen than the bill before us at this time.

This bill places upon our shoulders a tremendous responsibility. As someone said who preceded me, there are lives hanging in the balance. We have read where executions that are pending have been deferred until the legislature disposes of this piece of legislation. If we, in effect, kill this bill, and again I reiterate, I am not expressing an opinion as to the bill, but if we kill this bill we will be essentially pulling the electrocution lever.

Now frankly, this is too heavy a responsibility for me to assume or for any legislator to assume, and when you have such controversy, such expression of opinion, both

for and against a bill, I think we should look for a clear mandate from the citizenry of this State. We should be instructed by the people of this State what their wishes are in this thing. Now if this bill is killed, the referendum which is the contemplated course of action that the gentleman from Philadelphia, Mr. McCormack, hopes to accomplish will, in effect, be done for. I say this is a problem that we should give back to the people to have them give us their mandate and have them tell us just what their desire in this thing is.

It is for these reasons that I oppose this recommitment motion.

The SPEAKER. Does the gentleman from York, Mr. Gailey, desire to be recognized?

Mr. GAILEY. Very briefly, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from York.

Mr. GAILEY. The gentleman from Philadelphia, Mr. Fineman, has said, I think probably more cogently and more expressively than I could, my point of view on this matter before us. I just want, in the space of a few seconds, to lend my voice to his in a plea to this House to consider the bill on its merits.

I do not think anyone can say that the bill is not in proper form. The bill is perfectly clear, perfectly well drafted; we all know exactly what this bill does. I think, also, that perhaps there has not been an issue before us in this session, or within recent memory, which has been more explored in detail, on which we have not been exposed to the arguments both pro and con, any more than this bill which is before us now. This is to my mind one of the great moral issues of our time, and it seems to me that this House in one way or another should face this issue. To vote to recommit this bill at this time will serve only to muddy the issue. I do not think there is anyone here who in his heart would pretend that this bill needs further study. I think the sole purpose of this motion is to help us avoid making a decision on this issue. I think it is high time that we made such a decision. I think the members of this House should gather their courage in both hands, vote against this motion for recommitment, and then consider this bill on its merits.

The SPEAKER. The Chair recognizes the lady from Philadelphia, Mrs. Pashley.

Mrs. PASHLEY. Mr. Speaker, did I understand the gentleman from Adams, Mr. Worley, to say that if you voted against recommitment you would be for or against this bill? I intend to vote against recommitment and I am opposed to this bill. I am for capital punishment and I want that stated clearly.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Irvis.

Mr. IRVIS. Mr. Speaker, I rise to oppose the motion for recommitment. I think never before have we had our hands so close to a great moral issue as we have here today. I think, also, that this is an issue which transcends party lines, group interest and even individual preferences. I have every confidence, Mr. Speaker, that those of us who sit in the hall of this House are today prepared to debate this issue, are today prepared to decide it. I think if we recommit this bill now, we shall have run like frightened rabbits to the nearest hole. I think nobody wishes to be that.

Therefore, I oppose the motion to recommit.

The SPEAKER. Does the gentleman from Allegheny, Mr. Kramer, desire to be recognized? The Chair recognizes the gentleman from Allegheny, Mr. Kramer.

Mr. KRAMER. Mr. Speaker, will the majority leader submit himself to interrogation, please?

Mr. McCANN. I shall, Mr. Speaker.

Mr. KRAMER. Mr. Speaker, in order to aid me in deciding how to vote on the motion to recommit, I would like to ask the majority leader what action will be taken on Resolution No. 28?

Mr. McCANN. Mr. Speaker, Resolution No. 28, which may be found on page 40, if the motion to recommit carries, will be called up immediately and I will make a motion to recommit it to the Committee on Rules.

Mr. KRAMER. You will recommit Resolution No. 28, along with House bill No. 226?

Mr. McCANN. No, I will make a motion to recommit Resolution No. 28, if the recommittal motion carries on House bill 226.

Mr. KRAMER. Thank you, sir.

Mr. Speaker, if I understood the majority leader's answer to my question, that would then mean that those people who are now in the penitentiary awaiting disposition of this bill would, as Mr. Fineman stated, be subject to be placed in the electric chair. If, as was stated by the gentleman from Philadelphia, Mr. Eilberg, the reason for recommitment is the further study of this bill, then I for one would not want to have anyone's death placed on my shoulders if it should later turn out that this legislature should pass a bill such as House bill 226.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Lippincott for Mr. ISAACS for remainder of today's session.

On the question recurring,

Will the House agree to the motion to recommit House bill No. 226?

The yeas and nays were required by Messrs. EILBERG and WORLEY and were as follows:

YEAS—70

Anderson, S. A.,	Gray,	McCandless,	Pursley,
Auker,	Greenlee,	McCann,	Reidenbach,
Blair,	Guthrie,	McInroy,	Renwick,
Boies,	Hankins,	Meholchick,	Rubin,
Bush,	Helm,	Merry,	Rudisill,
Capitolo,	Holliday,	Miller,	Sakulsky,
Cauley,	Jenkins,	Mills,	Scarcelli,
Cioffi,	Johnson, A. W.,	Monroe,	Shelton,
Curwood,	Kamyk,	Morley,	Thompson,
Davis,	King,	Mullen,	Tompkins,
Dennison,	Kistler,	Murphy,	Trusio,
Dougherty,	Knecht,	Murray,	Wall,
Down,	Korns,	O'Donnell, J. P.,	Wargo,
Edwards,	Lawson,	Parlante,	Weldner,
Ellberg,	Lee, K. B.,	Perry,	Willard,
Eshback,	Leonard,	Petrosky,	Yetter,
Ewing,	Long, Wm. Jas.,	Polaski,	Zimmerman,
Filo,	Maxwell,		

NAYS—129

Adams,	Fulmer,	Kornick,	Schaaf,
Anderson, J. H.,	Galley,	Kramer,	Schuster,
Arlene,	Gallagher,	Lamb,	Sherman,
Ashton,	Gelfand,	Lee, A. M.,	Shupnik,
Bachman,	Gibb,	Limper,	Simmmons,
Backenstoe,	Gibbons,	Lippincott,	Slack,
Bonner,	Goldstein, J. H.,	Long, Wm. Jos.,	Snare,
Bower,	Goldstein, M. H.,	Lutty,	Stank,

Bowman,	Goodrich,	Magee,	Steckel,
Branca,	Gramlich,	Manbeck,	Stimmel,
Breth,	Gremminger,	Markley,	Stiteler,
Buchanan,	Gross,	Marsh,	Stone,
Capano,	Guesman,	May,	Sullivan, J. A.,
Cianfrani,	Hamilton,	McCormack,	Sullivan, T. F.,
Clarke,	Hartley,	McDevitt,	Taylor,
Comer,	Haudenschild,	McDonald,	Tomascik,
Cooley,	Heavey,	McKeever,	Ujobal,
Crossin,	Heffner,	McLaughlin,	Varner,
Dengler,	Henzel,	McNally,	Verona,
Donaldson,	Hocker,	Musto,	Walsh,
Doughten,	Holl,	Needham,	Welsh,
Elvey,	Holman,	O'Donnell, J. A.,	Wescott,
Eshleman,	Horst,	Ogilvie,	Whittaker,
Esler,	Irvis,	Pashley,	Willaredt,
Farabaugh,	Jim,	Polen,	Williams, A. D.,
Fetterolf,	Johnson, R. P.,	Prendergast,	Williams, E. S.,
Fineman,	Jones,	Price,	Wilt,
Flynn,	Kelser,	Reibman,	Wood,
Foerster,	Kelly,	Riley,	Worley,
Foor,	Kernaghan,	Rovansek,	Wynd,
Fox,	Klein,	Royer,	Zember,
Frascella,	Kooker,	Rutherford,	Andrews,
Fry,			Speaker

NOT VOTING—11

Bossert,	Kessler,	O'Dell,	Seltzer,
George,	Mihm,	Odorisio,	Strausser,
Isaacs,	Munley,	Piper,	

So the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Gelfand.

Mr. GELFAND. Mr. Speaker, I rise to debate the amendments.

The SPEAKER. The amendments are before the House and the gentleman is in order.

Mr. GELFAND. Mr. Speaker, I rise in firm opposition to the amendments which have been presented by Mr. McCormack.

I take this stand because I believe when we were elected to represent our constituents we had a firm duty to come to Harrisburg and represent them in all measures which come before this legislature, be they controversial or not. To my way of thinking this legislation, though it touches on the moral convictions of many of us, is no more controversial than many of the tax measures that we have voted on in this House, many of the bills dealing with schools that we have voted on in this House, and a multitude of other measures which have touched the entire Commonwealth.

It is my firm belief that when a man is elected to public office to represent his community in the halls of the legislature that it is incumbent upon him to represent that community fully. Unless he is willing to do so and assume the responsibility of voting for or against any measure which is placed before him, he abdicates the purpose for which he is elected. I feel that the legislature is a body of able men, men who are elected on platforms which have planks, men who come here to take positions on controversial issues and let the chips fall where they may.

I think it is incumbent upon us to stand up at this time to be counted on this great moral issue, one of the great moral issues of our times. I think it is incumbent upon us, no matter what may happen to each of us individually in the future, to express a firm conviction as to whether or not we are in favor of or against capital punishment. When we shift the burden to our community

it is to say that though we have received a great deal of information, though we have received the results of a study which has taken some weeks and which was made by a joint body of this legislature, and though we have all this information at our fingertips we are still—except to touch the issue gingerly—unwilling to take a position. I believe firmly that if the position you take is strong within your mind and your conscience and your heart, you can go back to your own community and make your people, your constituents, believe, no matter what position you have taken, at least you acted in the way you thought was right and for the benefit of the entire Commonwealth.

I have made a decision here. I have thought; I have considered; I have weighed; and, I have reached a conclusion. I for one, am going to express it by voting on this bill as it is. I believe that every legislator here in this hall today has that same duty. He should be willing to recognize that duty and take the responsibility upon his shoulders to do what he has been elected to do, and that is to vote for or against legislation which is presented to him and not to send it back to his local community for a referendum, or allow it to get tossed in the winds by every emotional speaker who takes the stand and takes the stump in order to present the issue with a tremendous amount of emotion and no logic.

I call upon you all, under these circumstances, to give my words full and weighty thought, and, after you have given them full and weighty thought, to vote against this amendment to send it back to the community for a referendum. What you do is abdicate the very purpose for which you have been elected and you demean your capacity as a legislator.

I beseech you to disregard this amendment and vote it down resoundingly so that we can vote on the bill and have a true expression of what we really think our community wants.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Filo.

Mr. FILO. Mr. Speaker, I think that everybody knows the position of the Fraternal Order of Police regarding this legislation and I know that they are unprepared for any amendments to be offered, such as those offered by Mr. McCormack.

I took it upon myself to talk to some of the members of the FOP. They are opposed to any amendments to this bill such as those proposed by Mr. McCormack. I thank you.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. McCormack.

Mr. McCORMACK. Mr. Speaker, very briefly in reply to the gentleman from Philadelphia, Mr. Gelfand, I want to stress the fact that we are not dealing with property rights but we are dealing with human lives. I think if ever there was any reason why we should submit a question to a referendum of the people, we should certainly in this instance put it directly to the people.

It is needless for me to say that there is ample precedent in this General Assembly for referendums. Just in the past few years we were apparently unable to decide whether we should have harness racing in the counties, and we therefore submitted that to a referendum. I recall very well that the gentleman from Philadelphia voted in favor of that. With respect to the Sunday sales of liquor

in Philadelphia and Pittsburgh, we recall the vote on that. Certainly if these matters can be referred to the people—they are so insignificant by comparison—we should without hesitation submit this question of human lives to the people of the Commonwealth for them to decide. If we get such mandate from them, then I say we should come back here and pass a bill abolishing it. But until we get that mandate no one knows what the majority of our citizens want. It is those people whom we have to protect. They are the ones who are causing such comment and criticism and discussion about this. They are the ones who want something done, who want protection of their lives and property. So let them tell us that we should abolish it and I will be the first one to come back here and introduce a bill to amend the Penal Code, but until such a time as we hear from the people I think we ought not to meddle into this very important aspect of the criminal law. Thank you.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. McCORMACK and McCANN and were as follows:

YEAS—55

Backenstoe,	Fox,	McDevitt,	Snare,
Bower,	Gibb,	McNally,	Stank,
Breth,	Goodrich,	Murphy,	Sullivan, J. A.,
Capitolo,	Heavey,	Murray,	Taylor,
Cianfrani,	Henzel,	Perry,	Wescott,
Comer,	Holl,	Polaski,	Willard,
Dengler,	Johnson, R. P.,	Price,	Willaredt,
Doughten,	Kernaghan,	Pursley,	Williams, A. D.,
Elvey,	Kooker,	Reibman,	Williams, E. S.,
Eshback,	Lippincott,	Renwick,	Worley,
Farabaugh,	Manbeck,	Rovansek,	Wynd,
Fetterolf,	Marsh,	Rubin,	Yetter,
Fineman,	May,	Rutherford,	Zimmerman,
Foor,	McCormack,	Slack,	

NAYS—144

Adams,	Fulmer,	Kornick,	Petrosky,
Anderson, J. H.,	Galley,	Korns,	Polen,
Anderson, S. A.,	Gallagher,	Kramer,	Reidenbach,
Arlene,	Gelfand,	Lamb,	Riley,
Ashton,	George,	Lawson,	Royer,
Auker,	Gibbons,	Lee, A. M.,	Rudisill,
Bachman,	Goldstein, J. H.,	Lee, K. B.,	Sakulsky,
Blair,	Goldstein, M. H.,	Leonard,	Scarcelli,
Boles,	Gramlich,	Limper,	Schaaf,
Bonner,	Gray,	Long, Wm. Jas.,	Schuster,
Bowman,	Greenlee,	Long, Wm. Jos.,	Shelton,
Branca,	Gremminger,	Lutty,	Sherman,
Buchanan,	Gross,	Mages,	Shupnik,
Bush,	Guesman,	Markley,	Simmons,
Capano,	Guthrie,	Maxwell,	Steckel,
Caulley,	Hamilton,	McCandless,	Stimmel,
Cioffi,	Hankins,	McCann,	Stiteler,
Clarke,	Hartley,	McDonald,	Stone,
Cooley,	Haudenshield,	McInroy,	Sullivan, T. F.,
Crossin,	Hefner,	McKeever,	Thompson,
Curwood,	Helm,	McLaughlin,	Tomasck,
Davis,	Hocker,	Meholchick,	Tompkins,
Dennison,	Holliday,	Merry,	Trusio,
Donaldson,	Holman,	Miller,	Ujcbai,
Dougherty,	Horst,	Mills,	Varnier,
Down,	Irlis,	Monroe,	Verona,
Edwards,	Jenkins,	Morley,	Wall,
Ellberg,	Jim,	Mullen,	Walsh,
Eshleman,	Johnson, A. W.,	Musto,	Wargo,
Esler,	Jones,	Needham,	Weidner,
Ewing,	Kelser,	O'Dell,	Welsh,
Filo,	Kelly,	O'Donnell, J. A.,	Whittaker,
Flynn,	King,	O'Donnell, J. P.,	Wilt,
Foerster,	Kistler,	Ogilvie,	Wood,
Frascella,	Klein,	Parlante,	Zember,
Fry,	Knecht,	Pashley,	Andrews,

Speaker

NOT VOTING—11

Bossert,
Isaacs,
Kamyk,Kessler,
Mihm,
Munley,Odorisio,
Piper,
Prendergast,Seltzer,
Strausser,

So the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Will the House agree to the section?

MESSRS. M. H. GOLDSTEIN and HAUDENSHIELD offered the following amendments:

Amend Title, page 1, lines 1, 2 and 3 of Title, by striking out all of said lines and inserting

Amending the act of June 24, 1939 (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," creating new classes of murder in the first degree and providing for the fixing of penalties.

Amend Sec. 1, page 1, lines 1 and 2, by striking out both lines

Amend Sec. 2, page 2, lines 1, 2 and 3, by striking out all of said lines

Amend Sec. 3, page 2, lines 4 and 5, by striking out all of said lines

Amend Sec. 4, page 2, line 6, by striking out all of said line and inserting

Section 1. Section 701, act of June 24, 1939 (P. L. 872), known as "The Penal Code," amended December 1, 1959 (P. L. 1621), is amended to read:

Section 701. Murder of the First and Second Degree.—All murder which shall be [perpetrated by means of poison, or by lying in wait, or by any other kind of willful, deliberate and premeditated killing, or which shall be committed in the perpetration of, or attempting to perpetrate any arson, rape, robbery burglary, or kidnapping, shall be murder in the first degree of the felony class. All murder which shall be perpetrated by means of poison, or by lying in wait, or by any other kind of willful, deliberate and premeditated killing shall be murder in the first degree of the non-felony class. All other kinds of murder shall be murder in the second degree. The jury before whom any person indicted for murder shall be tried, shall, if they find such person guilty thereof, ascertain in their verdict whether the person is guilty of murder of the first [or] degree of the felony class, murder of the first degree of the non-felony class or murder of the second degree. If such person is convicted by confession, the court shall proceed, by examination of witnesses, to determine the degree of the crime, and to give sentence accordingly.

Whoever is convicted of the crime of murder of the first degree is guilty of a felony and shall be sentenced to suffer death in the manner provided by law, or to undergo imprisonment for life, at the discretion of the jury trying the case, which shall, in the manner herein-after provided, fix the penalty. [In the trial of an indictment for murder, the court shall inform the jury that if they find the defendant guilty of murder in the first degree, it will be their further duty to fix the penalty therefor, after hearing such additional evidence as may be submitted upon that question. Whenever the jury shall agree upon a verdict of murder of the first degree, they shall immediately return and render the same, which shall be recorded, and shall not thereafter be subject to reconsideration by the jury, or any member thereof. After such verdict is recorded and before the jury is permitted to separate, the court shall proceed to receive such additional evidence not previously received in the trial as may be relevant and admissible upon the question of the penalty to be imposed upon the defendant, and shall permit such argument by counsel, and deliver such charge thereon as may be just and proper in the circumstances. The jury shall then retire and consider the penalty to be imposed and render such verdict respecting it as they shall agree upon. A failure of the jury to agree upon the penalty to be imposed, shall not be held to impeach or in any way affect the

validity of the verdict already recorded, and whenever the court shall be of opinion that further deliberation by the jury will not result in an agreement upon the penalty to be imposed, it may, in its discretion, discharge the jury from further consideration thereof, in which event if no retrial of the indictment is directed, the court shall sentence the defendant to life imprisonment upon the verdict theretofore rendered by the jury, and recorded as aforesaid. The court shall impose the sentence so fixed as in other cases. In cases of pleas of guilty, the court where it determines the crime to be murder of the first degree, shall, at its discretion, impose sentence of death or imprisonment for life. Where a sentence of death is imposed, the clerk of the court, wherein conviction takes place shall, within ten (10) days after such sentence of death, transmit a full and complete record of the trial and conviction to the Governor.] Whoever is convicted of murder in the first degree of the non-felony class shall be guilty of a felony and shall undergo imprisonment for life.

Whoever is convicted of the crime of murder of the second degree is guilty of a felony, and shall, for the first offense, be sentenced to undergo imprisonment by separate or solitary confinement not exceeding twenty (20) years, or fine not exceeding ten thousand dollars, or both, and for the second offense shall undergo imprisonment for the period of his natural life.

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Goldstein.

Mr. M. H. GOLDSTEIN. Mr. Speaker, the purpose of these amendments is to redefine murder in the first degree.

Murder in the first degree today calls for the alternative punishment of the death penalty or life imprisonment in the discretion of the jury or the discretion of a court.

The present law now defines murder in the first degree as follows: "All murder which shall be perpetrated by means of poison or by lying-in-wait or by any other kind of willful, deliberate and premeditated killing, or which shall be committed in the perpetration of or attempting to perpetrate any arson, rape, robbery, burglary or kidnapping shall be murder of the first degree."

Now, briefly speaking, my amendments are as follows:

I propose that there shall be two classifications of murder in the first degree.

Murders of the felony class, which will be murder occurring in the attempt to commit or committing any robbery, burglary, rape, arson or kidnapping.

All other murders such as lying-in-wait, or the so-called premeditated murder, shall be murder of the first degree of the non-felony class. If it be a murder of the felony class of first degree murder, then the penalty of death can still be imposed by the court or by the jury.

If it be a murder of the non-felony class, then the punishment shall be limited to life imprisonment.

And my reason for this is briefly as follows: The murders which occur in the course of a hold-up or a kidnapping, like the "Lindberg Case," are murders for the purpose of making money. These are generally professional murders. Sometimes we have cases where they are boys or young men of tender years, and in those exceptional cases the jury can give life imprisonment if it so desires.

Now, what concerns the public a great deal are these so-called murders of passion, or murders which some-

time occur by lying-in-wait which relate to murders in passion, which the public feels do not warrant the death penalty. I may be wrong, but I believe there is a man in the Rockview Penitentiary now who is awaiting execution for a lying-in-wait murder of the first degree.

If the law would be as I propose his punishment would be life imprisonment at the maximum.

Now, briefly speaking and to summarize, we feel that the felony murder warrants the continuation of the death penalty. We feel that other types of murders warrant only life imprisonment. We are not trying to compromise. We have had this particular amendment in our files since last February. We think this is the answer and we would like to have the gentlemen on both sides of the aisle vote in favor of this amendment. Thank you.

The SPEAKER. Does the gentleman from Philadelphia, Mr. McCormack, desire to be recognized?

Mr. McCORMACK. I wish to interrogate the gentleman from Allegheny, Mr. M. H. Goldstein.

The SPEAKER. Will the gentleman from Allegheny, Mr. M. H. Goldstein, permit himself to be interrogated?

Mr. M. H. GOLDSTEIN. I shall, Mr. Speaker.

Mr. McCORMACK. I am not sure whether I understand the intent of your amendment, so let me give you a hypothetical situation. Let us say that I was seeking revenge upon several people and that I decided to do away with them, so I got myself a machine gun and I waited for them over a weekend, Saturday and Sunday, and they did not appear and, on Monday morning, let us say, five out of the twelve whom I was seeking to annihilate appeared and I proceeded, being of sound mind, to mow these people down, to kill them. As I understand from what you said, a murder of that type would not be subject to the death penalty, is that correct?

Mr. M. H. GOLDSTEIN. That is correct, because I feel that if you were of such character that it is a crime related to passion or revenge and it is not the type of crime that repeats itself, I feel that under those circumstances you might border on action insanity but not legal insanity, and I am not trying to be facetious. Therefore I believe that type of murder should be confined and limited to life imprisonment. However, should you have hired some person to hold somebody up for the purpose of robbing them of the proceeds of a business, which is robbery or highway robbery, even though you are a principal and not directly in the crime, you would get the death penalty.

Mr. McCORMACK. Now, let us carry that hypothetical situation one step further. Let us suppose that I was a little timid about that and I hired a professional killer to do this same act. This professional killer, acting on my request, proceeds and does accomplish this act and kills five or six people, he still would not be subject to the death penalty. Is that correct?

Mr. M. H. GOLDSTEIN. That is correct. Yes.

Mr. McCORMACK. That's all.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Kramer.

Mr. KRAMER. Mr. Speaker, I would like to interrogate the gentleman from Allegheny, Mr. Goldstein.

The SPEAKER. Will the gentleman from Allegheny, Mr. Goldstein, permit himself to be interrogated?

Mr. M. H. GOLDSTEIN. I shall, Mr. Speaker.

Mr. KRAMER. Mr. Speaker, is the gentleman aware under the felony murder rule and the Supreme Court decision in the Redline case that an accomplice who may be hundreds of yards away, who may be in an automobile without knowledge of what was going on at the scene of a homicide, who may not himself have any intention whatsoever to do any harm, bodily harm, to a victim, could be found guilty of murder in the first degree under the present law?

Mr. M. H. GOLDSTEIN. I am aware of that and I am aware also of this factual situation. I believe it is a Philadelphia case. Two or three men were engaged in the robbery of a store and while fleeing from the store a policeman killed one of the culprits, and I believe the Supreme Court sustained the conviction of first degree murder with the death penalty on the ground that the murder occurred in the course of attempting a burglary or robbery. The fact that the man is an accomplice 100 yards away does not make him any less guilty. He may be the brains of the operation.

What I am trying to do in here is to rationalize and take care of the crimes which are not generally crimes of passion but which are mercenary crimes and crimes for the purpose of getting money.

Mr. KRAMER. Mr. Speaker, does the gentleman agree then that under his amendments it would still be possible for a person who accompanied another person but who did commit the homicide, who did not have actual intent to commit homicide, and had no knowledge of the actual homicide, to be electrocuted?

Mr. M. H. GOLDSTEIN. He could.

Mr. KRAMER. Thank you, Mr. Speaker.

I had occasion to defend a man in a murder case whereby the facts are roughly as asked in my question of Mr. Goldstein. This particular man did not know anything about the homicide, I believe the facts of the case show. The facts did show, however, he was in the vicinity and did accompany the person who may have committed this homicide. Under facts like this, this young man could have been put in the electric chair and killed for something he did not know anything about and had no actual hand in.

For that reason I say these are bad amendments. I would ask all persons on the floor of this House to vote against them.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Lamb.

Mr. LAMB. Mr. Speaker, would the gentleman from Allegheny, Mr. Goldstein, consent to interrogation?

The SPEAKER. Will the gentleman from Allegheny, Mr. Goldstein, permit himself to be interrogated?

Mr. M. H. GOLDSTEIN. I shall, Mr. Speaker.

Mr. LAMB. Mr. Speaker, would a murder committed during a prison break be considered first degree murder punishable by death, under your amendments?

Mr. M. H. GOLDSTEIN. It would not.

Mr. LAMB. Mr. Speaker, would a murder committed by, let us say, a poisoning be considered first degree murder, under your amendments?

Mr. M. H. GOLDSTEIN. It would not.

Mr. LAMB. Thank you, Mr. Speaker.

Mr. LAMB. Mr. Speaker, speaking now on the amendments, I rise to oppose the amendments and to lend my support to Mr. Kramer.

I also wish to point out that the answers of Mr. Goldstein to interrogation by Mr. Kramer and myself would indicate that there are many fields where murder—I will call it murder in the first degree—committed in the act of a prison break, murder committed by lying-in-wait, murder committed by some hired, professional killer, these would be removed from the act; whereas, on the other hand, a murder committed by accident in the course of a robbery would be considered murder under the act and punishable by death. I think that this is a very illogical distinction and I oppose the amendments.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Goldstein.

Mr. M. H. GOLDSTEIN. Mr. Speaker, I desire to speak briefly on the observations of Mr. Lamb and Mr. Kramer on murder by accident.

The law today is that if A, B and C are engaged in the holdup of a grocery store and B is in a car 300 feet away from the store and a murder occurs, he is guilty of murder in the first degree today and can be sent to the electric chair. He is just as guilty in the eyes of the law as the man who pulled the trigger. That is perfectly all right in that particular type of crime because a good genius would always be in the get-away car, he would not pull the trigger, he would have a sucker to pull the trigger and go to the chair while he would get life imprisonment or less.

Now I advocate, so far as felony murders are concerned, and I repeat, murder committed in the course of perpetrating or attempting to perpetrate the following crimes: arson, rape, robbery, burglary or kidnapping shall be felony murders and shall be subjected to the death penalty. What Mr. Kramer is so concerned about today is the law as it is today and I am not changing that law.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Fineman.

Mr. FINEMAN. I would like to interrogate the gentleman from Allegheny, Mr. Goldstein.

The SPEAKER. Will the gentleman from Allegheny, Mr. Goldstein, permit himself to be interrogated?

Mr. M. H. GOLDSTEIN. I shall, Mr. Speaker.

Mr. FINEMAN. Mr. Speaker, just one question for purposes of clarification.

If the act of a defendant can be described as being both a felony and a non-felony type of action, what do your amendments provide? In other words, if someone sets out to rob an individual and he lies in wait for that purpose so that his action is both felony and non-felony, which penalty is assessed against that defendant?

Mr. M. H. GOLDSTEIN. Why, of course, it would be a felony murder because the legislature in 1860 defined murder in the following types: lying-in-wait, murder occurring during the course of arson or rape or burglary as first degree murder. So if Mr. A was lying in wait for the purpose of robbery, he would be in the felony murder class.

Mr. FINEMAN. That is, with your amendments?

Mr. M. H. GOLDSTEIN. Sure, the method in which he committed the murder would be immaterial, whether he did it lying in wait or not lying in wait.

Mr. FINEMAN. I thank the gentleman.

The SPEAKER. The Chair recognizes the gentleman from Adams, Mr. Worley.

Mr. WORLEY. In these amendments, Mr. Speaker, apparently there seems to be a distinction without a difference, and I ask that they be voted down.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. M. H. GOLDSTEIN and HAUDENSHIELD and were as follows:

YEAS—13

Anderson, J. H.	Goldstein, M. H.,	Price,	Simmons,
Bower,	Gross,	Reibman,	Varner,
Ewing,	Haudenschild,	Sherman,	Whittaker,
Foerster,			

NAYS—182

Adams,	Fulmer,	Lee, K. B.,	Riley,
Anderson, S. A.,	Galley,	Leonard,	Rovansek,
Arlene,	Gallagher,	Limper,	Royer,
Ashton,	Gelfand,	Lippincott,	Rubin,
Auker,	George,	Long, Wm. Jas.,	Rudisill,
Bachman,	Gibb,	Long, Wm. Jos.,	Rutherford,
Backenstoe,	Gibbons,	Lutty,	Sakulsky,
Blair,	Goldstein, J. H.,	Magee,	Scarcelli,
Boles,	Goodrich,	Manbeck,	SchAAF,
Bonner,	Gramlich,	Markley,	Schuster,
Bowman,	Gray,	Marsh,	Shelton,
Branca,	Greenlee,	Maxwell,	Shupnik,
Breth,	Gremminger,	May,	Siack,
Buchanan,	Guesman,	McCandless,	Snare,
Bush,	Guthrie,	McCann,	Stank,
Capano,	Hamilton,	McCormack,	Steckel,
Capitolo,	Hankins,	McDevitt,	Stimmel,
Cauley,	Hartley,	McDonald,	Stiteler,
Cianfrani,	Heavey,	McInroy,	Stone,
Cioffi,	Helm,	McKeever,	Sullivan, J. A.,
Clarke,	Henzel,	McLaughlin,	Sullivan, T. F.,
Comer,	Hocker,	McNally,	Taylor,
Cooley,	Holl,	Meholchick,	Thompson,
Crossin,	Holliday,	Merry,	Tomascik,
Curwood,	Holman,	Miller,	Tompkins,
Davis,	Horst,	Mills,	Trusio,
Dengler,	Irvis,	Monroe,	Ujobal,
Donaldson,	Jim,	Morley,	Wall,
Dougherty,	Johnson, A. W.,	Murphy,	Walsh,
Doughten,	Johnson, R. P.,	Murray,	Wargo,
Down,	Jones,	Musto,	Weidner,
Edwards,	Kamyk,	Needham,	Welsh,
Ellberg,	Keiser,	O'Dell,	Wescott,
Elvey,	Kelly,	O'Donnell, J. A.,	Willard,
Eshback,	Kernaghan,	O'Donnell, J. P.,	Willaredt,
Eshleman,	King,	Ogilvie,	Williams, A. D.,
Esler,	Kistler,	Parlante,	Williams, E. S.,
Farabaugh,	Klein,	Pashley,	Wilt,
Fetterolf,	Knecht,	Perry,	Wood,
Filo,	Kooker,	Petrosky,	Worley,
Fineman,	Kornick,	Polaski,	Wynd,
Flynn,	Korns,	Polen,	Yetter,
Foor,	Kramer,	Pursley,	Zember,
Fox,	Lamb,	Reidenbach,	Zimmerman,
Frascella,	Lawson,	Renwick,	Andrews,
Fry,	Lee, A. M.,		Speaker

NOT VOTING 15

Bossert,	Jenkins,	Munley,	Seltzer,
Dennison,	Kessler,	Odorisio,	Strausser,
Heffner,	Mihm,	Piper,	Verona,
Isaacs,	Mullen,	Prendergast,	

So the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Will the House agree to the section?

Mr. SCHAAF offered the following amendments:

Amend Title, page 1, lines 1, 2 and 3 of Title, by striking out all of said lines and inserting

Amending the act of June 24, 1939 (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," changing the method for determining the penalty to be imposed for the crime of murder of the first degree and providing for review.

Amend Sec. 1, page 1, lines 1 and 2, by striking out all of said lines

Amend Sec. 2, page 2, lines 1, 2 and 3, by striking out all of said lines

Amend Sec. 3, page 2, lines 4 and 5, by striking out both of said lines

Amend Sec. 4, page 2, line 6, by striking out all of said line and inserting

Section 1, Section 701, act of June 24, 1939 (P. L. 872), known as "The Penal Code," amended December 1, 1959 (P. L. 1621), is amended to read:

Section 701. Murder of the First and Second Degree.—All murder which shall be perpetrated by means of poison, or by laying in wait, or by any other kind of willful, deliberate and premeditated killing, or which shall be committed in the perpetration of, or attempting to perpetrate any arson, rape, robbery, burglary, or kidnapping, shall be murder in the first degree. All other kinds of murder shall be murder in the second degree. The jury before whom any person indicted for murder shall be tried, shall, if they find such person guilty thereof, ascertain in their verdict whether the person is guilty of murder of the first or second degree. If such person is convicted by confession, the court shall proceed, by examination of witnesses, to determine the degree of the crime, and to give sentence accordingly.

Whoever is convicted of the crime of murder of the first degree is guilty of a felony and shall be sentenced to suffer death in the manner provided by law, or to undergo imprisonment for a term of twenty-five (25) years to life, at the discretion of the (jury) judge trying the case, (which shall, in the manner hereinafter provided, fix the penalty. In the trial of an indictment for murder, the court shall inform the jury that if they find the defendant guilty of murder in the first degree, it will be their further duty to fix the penalty therefor, after hearing such additional evidence as may be submitted upon that question. Whenever the jury shall agree upon a verdict of murder of the first degree, they shall immediately return and render the same, which shall be recorded, and shall not thereafter be subject to reconsideration by the jury, or any member thereof. After such verdict is recorded and before the jury is permitted to separate, the court shall proceed to receive such additional evidence not previously received in the trial as may be relevant and admissible upon the question of the penalty to be imposed upon the defendant, and shall permit such argument by counsel, and deliver such charge thereon as may be just and proper in the circumstances. The jury shall then retire and consider the penalty to be imposed and render such verdict respecting it as they shall agree upon. A failure of the jury to agree upon the penalty to be imposed, shall not be held to impeach or in any way affect the validity of the verdict already recorded, and whenever the court shall be of opinion that further deliberation by the jury will not result in an agreement upon the penalty to be imposed, it may, in its discretion, discharge the jury from further consideration thereof, in which event if no retrial of the indictment is directed, the court shall sentence the defendant to life imprisonment upon the verdict theretofore rendered by the jury, and recorded as aforesaid. The court shall impose the sentence so fixed as in other cases. In cases of pleas of guilty, the court where it determines the crime to be murder of the first degree, shall, at its discretion, impose sentence of death or imprisonment for life. Where a sentence of death is imposed, the clerk of the court, wherein conviction takes place, shall, within ten (10) days after such sentence of death, transmit a full and complete record of the trial and conviction to the Governor.)

Whoever is convicted of the crime of murder of the second degree is guilty of a felony, and shall, for the first offense, be sentenced to undergo imprisonment by separate or solitary confinement not exceeding twenty (20) years, or fined not exceeding ten thousand dollars, or both, and for the second offense shall undergo imprisonment for the period of his natural life.

When any person is convicted of murder in the first degree and a sentence is imposed or when any person pleads guilty and the court determines the crime to be murder in the first degree and a sentence is imposed, the Supreme Court shall automatically review the case whether or not the defendant appeals.

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the gentleman from Erie, Mr. Schaaf.

Mr. SCHAAF. Mr. Speaker, these amendments are offered on the basis of an assumption. The assumption on my part, and my assumption alone, is that the disposition of this House is to defeat House bill 226.

I offer these amendments after observing for the period of the last six or seven months the controversy which has raged around this issue. I think that my amendments, my own personal belief, at least, is that they have some merit to them.

The amendments provide three things basically:

Number one, where life imprisonment is to be imposed, as opposed to death, life imprisonment is then modified so that the sentencing authority has discretion as to whether or not to give from 25 years to life.

Number two, the province of sentencing is removed from the jury and is given to the judge alone.

Number three, a sentence of conviction is automatically reviewable by the Supreme Court.

Why, Mr. Speaker, do I offer these amendments? I have come to two conclusions. Number one: the biggest deficiency in the system presently employed here in the State of Pennsylvania seems to be best illustrated by the argument that the poor fellow does not have the benefits of the wealthy lawyers, and consequently he is the fellow who is more apt to go to the electric chair. Statistics seem to bear this out. If you are a wealthy man and you can hire good legal counsel, chances are you will end up in jail. If you are not so wealthy, then you will end up in the electric chair.

The second observation that seems to have been made here in the past is that there is no uniformity in the sentences imposed county to county, in the sense that some counties habitually do not sentence to the electric chair, while other counties for similar crimes do sentence to the electric chair.

Mr. Speaker, I submit that these amendments would give a degree of uniformity, give a degree of standardization in the imposition of the death penalty here in Pennsylvania. To that extent, and as I say, on the assumption that this legislature is disposed to defeat the bill in its present form, the amendments are offered. I thank the Speaker.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. SCHAAF and McCANN and were as follows:

YEAS—31

Adams,	Fry,	McLaughlin,	Schaaf,
Bachman	Fulmer,	McNally,	Schuster,
Capitolo,	Gibbons,	Murphy,	Tomasick,
Clarke,	Irvis,	Murray,	Trusio,
Dougherty,	Kistler,	Pashley,	Whittaker,
Doughten,	Kramer,	Petrosky,	Williams, A. D.,
Farabaugh,	Lawson,	Polaski,	Yetter,
Foerster,	McDevitt,	Rovansek,	

NAYS—165

Anderson, J. H.	Gallagher,	Lamb,	Riley,
Anderson, S. A.	Gelfand,	Lee, A. M.,	Royer,
Arlene,	George,	Lee, K. B.,	Rubin,
Ashton,	Gibb,	Leonard,	Rudisill,
Auker,	Goldstein, J. H.,	Limper,	Rutherford,
Backenstoe,	Goldstein, M. H.,	Lippincott,	Sakulsky,
Blair,	Goodrich,	Long, Wm. Jas.,	Scarcelll,
Boles,	Gramlich,	Long, Wm. Jos.,	Shelton,
Bonner,	Gray,	Lutty,	Sherman,
Bower,	Greenlee,	Magee,	Shupnik,
Bowman,	Gremminger,	Manbeck,	Simmons,
Branca,	Gross,	Markley,	Slack,
Breth,	Guesman,	Marsh,	Snare,
Buchanan,	Guthrie,	Maxwell,	Stank,
Bush,	Hamilton,	May,	Steckel,
Capano,	Hankins,	McCandless,	Stimmel,
Cianfrani,	Hartley,	McCann,	Stiteler,
Cioffi,	Haudenshield,	McCormack,	Stone,
Comer,	Heavey,	McDonald,	Sullivan, J. A.,
Cooley,	Heffner,	McInroy,	Sullivan, T. F.,
Crossin,	Helm,	McKeever,	Taylor,
Curwood,	Henzel,	Meholchick,	Thompson,
Davis,	Hocker,	Merry,	Tompkins,
Dengler,	Holl,	Miller,	Ujobai,
Dennison,	Holliday,	Mills,	Varner,
Donaldson,	Holman,	Monroe,	Wall,
Down,	Jenkins,	Morley,	Walsh,
Edwards,	Jim,	Mullen,	Wargo,
Ellberg,	Johnson, A. W.,	Musto,	Weldner,
Elvey,	Johnson, R. P.,	Needham,	Welsh,
Eshback,	Jones,	O'Dell,	Wescott,
Eshleman,	Kamyk,	O'Donnell, J. A.,	Willard,
Esler,	Keiser,	O'Donnell, J. P.,	Willaredt,
Ewing,	Kelly,	Ogilvie,	Williams, E. S.,
Fetterolf,	Kernaghan,	Parlante,	Wilt,
Filo,	King,	Perry,	Wood,
Fineman,	Klein,	Polen,	Worley,
Flynn,	Knecht,	Pursley,	Wynd,
Foor,	Kooker,	Reibman,	Zember,
Fox,	Kornick,	Reidenbach,	Zimmerman,
Frascella,	Korns,	Renwick,	Andrews,
Galley,			Speaker

NOT VOTING—14

Bossert,	Kessler,	Piper,	Seltzer,
Cauley,	Mihm,	Prendergast,	Strausser,
Horst,	Munley,	Price,	Verona,
Isaacs,	Odorisio,		

So the question was determined in the negative and the amendments were not agreed to.

On the question,
Will the House agree to the bill on second reading?
It was agreed to.
Ordered, to be transcribed for third reading.

BILLS ON FINAL PASSAGE

Agreeably to order,
The House proceeded to the consideration on final passage of House bill No. 527, entitled:

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90), providing for the exchange of existing retail dispenser's licenses for liquor licenses despite the limitations of the quota provisions of this act and establishing procedure therefor.

On the question,
Shall the bill pass finally?
Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—63

Adams,	Greenlee,	McDonald,	Scarcelll,
Anderson, S. A.,	Gremminger,	McLaughlin,	Schuster,
Arlene,	Hankins,	Mullen,	Shelton,
Backenstoe,	Hartley,	Murphy,	Sherman,
Boles,	Irvls,	Murray,	Stank,
Branca,	Jim,	Musto,	Steckel,
Capitolo,	Jones,	O'Donnell, J. A.,	Stimmel,

Cauley,	Kelly,	O'Donnell, J. P.,	Stone,
Cianfrani,	Klein,	Parlante,	Sullivan, J. A.,
Clarke,	Kornick,	Prendergast,	Sullivan, T. F.,
Comer,	Kramer,	Reibman,	Taylor,
Doughten,	Lawson,	Reidenbach,	Trusio,
Ellberg,	Long, Wm. Jos.,	Riley,	Verona,
Flynn,	Manbeck,	Rovansek,	Walsh,
Gelfand,	Markley,	Rubin,	Andrews,
Gray,	McDevitt,	Sakulsky,	Speaker

NAYS—134

Anderson, J. H.,	Frascella,	Kooker,	Pursley,
Ashton,	Fry,	Korns,	Renwick,
Auker,	Fulmer,	Lee, A. M.,	Royer,
Bachman,	Gailey,	Lee, K. B.,	Rudisill,
Blair,	Gallagher,	Leonard,	Rutherford,
Bonner,	George,	Limper,	Schaaaf,
Bower,	Gibb,	Lippincott,	Shupnik,
Bowman,	Gibbons,	Long, Wm. Jas.,	Simmons,
Breth,	Goldstein, J. H.,	Lutty,	Slack,
Buchanan,	Goldstein, M. H.,	Magee,	Snare,
Bush,	Goodrich,	Maxwell,	Stiteler,
Capano,	Gramlich,	May,	Thompson,
Cioffi,	Gross,	McCandless,	Tomasck,
Cooley,	Guesman,	McCann,	Tompkins,
Crossin,	Guthrie,	McCormack,	Ujobai,
Curwood,	Hamilton,	McInroy,	Varner,
Davis,	Haudenshield,	McKeever,	Weidner,
Dengler,	Heavey,	McNally,	Wall,
Dennison,	Heffner,	Meholchick,	Wargo,
Donaldson,	Helm,	Merry,	Welsh,
Dougherty,	Henzel,	Miller,	Wescott,
Down,	Hocker,	Mills,	Whittaker,
Edwards,	Holl,	Monroe,	Willard,
Elvey,	Holliday,	Morley,	Willaredt,
Eshback,	Holman,	Needham,	Williams, A. D.,
Eshleman,	Jenkins,	O'Dell,	Williams, E. S.,
Esler,	Johnson, A. W.,	Ogilvie,	Wilt,
Ewing,	Johnson, R. P.,	Pashley,	Wood,
Farabaugh,	Kamyk,	Perry,	Worley,
Fetterolf,	Keiser,	Petrosky,	Wynd,
Filo,	Kernaghan,	Polaski,	Yetter,
Foor,	King,	Polen,	Zember,
Fox,	Kistler,	Price,	Zimmerman,
	Knecht,		

NOT VOTING—13

Bossert,	Kessler,	Mihm,	Piper,
Fineman,	Lamb,	Munley,	Seltzer,
Horst,	Marsh,	Odorisio,	Strausser,
Isaacs,			

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1106, entitled:

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333), further regulating the form of the official primary ballot.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—90

Anderson, S. A.,	Gelfand,	McCormack,	Reidenbach,
Arlene,	Gray,	McDevitt,	Renwick,
Bachman,	Greenlee,	McDonald,	Riley,
Boles,	Gremminger,	McKeever,	Rubin,
Bonner,	Hamilton,	McLaughlin,	Rudisill,
Branca,	Hankins,	McNally,	Sakulsky,
Breth,	Hartley,	Meholchick,	Scarcelll,
Capitolo,	Heavey,	Mills,	Schaaaf,
Cauley,	Irvls,	Monroe,	Schuster,
Cianfrani,	Jim,	Morley,	Shelton,
Cioffi,	Jones,	Mullen,	Sherman,
Clarke,	Kamyk,	Murphy,	Shupnik,
Comer,	Kelly,	Musto,	Stank,
Crossin,	Klein,	Needham,	Stone,
Curwood,	Kornick,	O'Donnell, J. P.,	Taylor,

Donaldson,	Kramer,	Parlante,	Tomasick,
Doughten,	Lamb,	Pashley,	Verona,
Filo,	Lawson,	Perry,	Walsh,
Fineman,	Leonard,	Polaski,	Wargo,
Foerster,	Limper,	Polen,	Welsh,
Frascella,	Long, Wm. Jas.,	Prendergast,	Yetter,
Galley,	Lutty,	Reibman,	Andrews,
Gallagher,	Maxwell,		Speaker

NAYS—112

Adams,	Fox,	Kistler,	Seltzer,
Anderson, J. H.,	Fry,	Knecht,	Simmons,
Ashton,	Fulmer,	Kooker,	Slack,
Auker,	George,	Korns,	Snare,
Backenstoe,	Gibb,	Lee, A. M.,	Steckel,
Blair,	Gibbons,	Lee, K. B.,	Stimmel,
Bower,	Goldstein, J. H.,	Lippincott,	Stiteler,
Bowman,	Goldstein, M. H.,	Long, Wm. Jos.,	Sullivan, J. A.,
Bush,	Goodrich,	Magee,	Sullivan, T. F.,
Buchanan,	Gramlich,	Manbeck,	Thompson,
Capano,	Gross,	Markley,	Tompkins,
Cooley,	Guesman,	Marsh,	Truslo,
Davis,	Guthrie,	May,	Ujobal,
Dengler,	Haudensfield,	McCandless,	Varnier,
Dennison,	Heffner,	McCann,	Wall,
Dougherty,	Helm,	McInroy,	Weidner,
Down,	Henzel,	Merry,	Wescott,
Edwards,	Hocker,	Miller,	Whittaker,
Eilberg,	Holl,	Murray,	Willard,
Elvey,	Holliday,	O'Dell,	Willaredt,
Eshback,	Holman,	O'Donnell, J. A.,	Williams, A. D.,
Eshleman,	Horst,	Ogilvie,	Williams, E. S.,
Esler,	Jenkins,	Petrosky,	Wilt,
Ewing,	Johnson, A. W.,	Price,	Wood,
Farabaugh,	Johnson, R. P.,	Pursley,	Worley,
Fetterolf,	Kelser,	Rovanske,	Wynd,
Flynn,	Kernaghan,	Royer,	Zember,
Foor,	King,	Rutherford,	Zimmerman,

NOT VOTING—8

Bossert,	Kessler,	Munley,	Piper,
Isaacs,	Mihm,	Odorisio,	Strausser,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Mr. HELM IN THE CHAIR

BILL ON FINAL PASSAGE POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on final passage of House bill No. 1162, entitled

An Act amending "The C P A Law" approved May 26, 1947 (P. L. 318), further regulating the certification and public practice of certified public accountants.

On the question recurring,

Shall the bill pass finally?

Mr. HOCKER. Mr. Speaker, the hour is getting late and I do not want to go over the ground that has been covered on this bill. I think much has been said in favor and against the bill. I just want to let it be known that I am still opposed to the bill and I want to reiterate to the members of this House that if they want to take the privileges away from the boys and girls of America, this is the best way to do it.

Mr. BACKENSTOE. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Eilberg.

The SPEAKER pro tempore. Will the gentleman from Philadelphia, Mr. Eilberg, permit himself to be interrogated?

Mr. EILBERG. I shall, Mr. Speaker.

Mr. BACKENSTOE. Mr. Speaker, will the gentleman

tell me if there is any language in this statute which would prohibit an accountant who is not a CPA from using the title "Public Accountant"?

Mr. EILBERG. There is no language in the bill which would prevent a public accountant from using such a title.

Mr. BACKENSTOE. Mr. Speaker, I ask the gentleman to look at page 22, lines 3 through 6, which say that it shall be unlawful for any person or partnership to use a title including the word "certified" as a part thereof or any other title or designation likely to be confused with certified public accountant or any title or designation implying or connotating accreditation by State or political subdivision of the United States. Would those words prohibit an accountant who is not a CPA from using the title "Public Accountant?"

Mr. EILBERG. They would not.

Mr. BACKENSTOE. Mr. Speaker, is it the intent of the legislators, the drafters of this statute, and, in effect, the legislative intent to allow accountants who are not CPA's to use the title "Public Accountants"?

Mr. EILBERG. That would certainly be my understanding.

Mr. BACKENSTOE. Thank you, Mr. Speaker.

Mr. ANDREWS. I have done a lot of talking today and I do not intend to do very much more.

I understand that on this bill the orders to pass it have come down.

For some reason or other nobody passed the orders along to me. I do not know whether that is a compliment or not.

I do not like this bill. I do not like the manner in which the people, and I am not referring to the members of this House, the people back of this bill have gone about passing it. They have been arrogant. They come down here with a program, and in conference up there are asked, Why don't you fellows get together with these other people and talk a little bit of compromise? Absolutely nothing doing. They insist on passing the bill as is.

Well, maybe there are some amendments in the bill now—it has been amended, but they still leave the words in "or its equivalent" as far as education is concerned. Do you know how they justify the equivalent? Why they say that is the way we knock out lawyers sometimes. Yes, that is the way they get around somebody when they do not want him, they lick him on the equivalent.

I still maintain that the only way you can determine whether anybody has a sufficient background of knowledge to pass an examination is for him to pass the examination. That is the determination and I do not care what bill it is, it has no right to say "the equivalent," and then butter up this bit of legislation by saying they are not going to put it in full force for six years. It is the principle of the thing that I address to the conscience of this House and the principle is simply this: That anybody who claims to have the background to take the examination should have the chance to prove it by the examination and not by any board, particularly if they are as firm and as arrogant with the people before them as they have been with me. I will say there is small chance of anybody they did not like getting by; they would trot out the "equivalent" and say, "the equivalent, you have not got it, and you are out."

The SPEAKER pro tempore. The Chair recognizes the gentleman from Berks, Mr. Adams.

Mr. ADAMS. Mr. Speaker, I will make it very brief. Sunday afternoon a CPA came to my home to speak in behalf of this bill and wanted to know the reason I had opposed it previously. I explained it to him.

I asked him what was wrong with the present law. He said, "Is there a present law?" I said, "yes, there is." He went on, and so I said, "What is wrong with the present law?" He said, "Nothing." I said, "Well then, why change it? Why not keep it the way it is?" That is what I say now, why not keep it the way it is?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Eilberg.

Mr. EILBERG. Mr. Speaker, I yield to the gentleman from Philadelphia, Mr. Morley.

The SPEAKER pro tempore. The gentleman yields to the gentleman from Philadelphia, Mr. Morley.

The Chair recognizes the gentleman.

Mr. MORLEY. Mr. Speaker, when this bill was under discussion a week ago, the Speaker of this House came down into the well and he labeled this a bad bill. I also called it a bad bill. We gave our reasons and this House voted it down. Since then I have given this bill further study and consideration and I can only come to one conclusion and that is, Mr. Speaker, that this bill is twice as bad as I thought it was.

Once again I ask the members of this House to vote it down.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Eilberg.

Mr. EILBERG. Mr. Speaker, I would at this time like to particularly address my remarks by way of reply to those of the Speaker, Mr. Andrews.

I would call to his attention again, and to the members of this House, that the use of the language "equivalent" appears many times in our satutory law. It appears in the medical practices act, it appears in the chiropody act, it appears in the chiropractic registration act, it appears in the registered architects' act, it appears in the optometrists' act, so that the word "equivalent" has a very definite statutory meaning.

The Speaker and others have placed great emphasis on the significance of passing the examination. I happen to be a lawyer, and in the course of my life I have taken many examinations, many, many examinations—many final examinations. I tell you, Mr. Speaker, sometimes when the morning of the examination came I was real good and ready. Other times I was in poor shape, relatively, physically or otherwise. I say that no examination in itself is a complete answer to a man's quality. I say that, by attempting to raise the level of educational requirements, we broaden the man, broaden his background and make him better able to serve the public.

The Speaker has said on a couple of occasions in his remarks that the people who are interested in these bills, the CPA's among others, have been arrogant men. Perhaps this has been his experience, but I would like to say to him that I have found them to be completely professional, completely mannerly, and it may be that the Speaker has in mind other people than those with whom I have talked, but it has been a distinct pleasure to talk and learn about this particular bill.

I say that this bill had a very close call the last time

it was up. It is worthy of reconsideration and I hope you will vote for it.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny, Mr. Boies.

Mr. BOIES. Mr. Speaker, this nonsense about depriving the youth of the country of an opportunity by setting up an education standard is, as the gentleman from Philadelphia, Mr. Morley, says, double nonsense.

If this is a profession, let us make it a profession or say that it is not a profession. If it is a profession, it must have professional standards and educational standards. The remarks of the Speaker would indicate that all that is necessary to pass a professional examination is the ability to pass that particular examination. Would anybody here want, as I said before, a physician or a surgeon who has had no professional, no educational standards to meet, before taking that examination?

It is ridiculous. You either have a profession here with professional and educational standards or you do not. If you think it is a profession in the true meaning of a profession, vote for this bill.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. McCormack.

Mr. McCORMACK. Mr. Speaker, I would like to try to lay to rest the accusations made by the Speaker with respect to this bill.

I distinctly heard the Speaker say, when the amendment about "its equivalent" was introduced and adopted on the floor, that it would be a better bill because of this amendment. Now, all of a sudden, the strategy or the tactics is that it is meaningless. Over the course of the years that I have been here and we have passed statutes regulating these various professions, never once have I heard the Speaker of the House get down here on the floor and complain about the language or the educational requirements in those registration acts. Of course he has a bug on for the CPA's. He does not like them, period. But, let us face the facts. You have to separate personalities. My goodness, talk about professional people and the requirements, in the course of three months I have had two practical nurses, middle-aged women, with families come to me and ask me if I could do something. I said, what is the trouble? They said they had been practical nurses for years but they did not go to the right school, and they were not able to take the examination. All they wanted was the right to take the examination.

We are constantly passing legislation and require, not only knowledge, but non-professional people, such as people in the practical nursing field, to not only be qualified but that before they can take the examination they must have graduated from an approved school and a school that is licensed by the Commonwealth of Pennsylvania. Now all of a sudden, because these professional men want to raise themselves up to a status that could lead to the standards of a CPA in other large states throughout the United States, we hear this cry that it is unfair, foul ball.

Is the Speaker contending for the proposition that because you can pass an examination that you have the right to go out and operate on people, that you have a right to pull their teeth, that you have the right to represent them in court? I could go through any number of registration acts where you must, in addition to passing

the examination, meet the educational requirement. This is not something new. Certainly these amendments that are inserted in the bill laid to rest what the Speaker said about the arrogant manner in which these people operate. These amendments are in here as a result of compromise, compromise on the part of the men who are interested, who are members of the institute and want to better the profession to which they have devoted their lives.

It is a reasonable bill. If you do not like it, all right, but as I say again, it is reasonable. I think if you vote in favor of it you will not be hurting anyone.

The SPEAKER pro tempore. The Chair recognizes the gentleman from McKean, Mr. Johnson.

Mr. A. W. JOHNSON. Mr. Speaker, I will try to be very brief with my remarks. I will say that I do not know of a profession that has grown in stature where the problems presented to that profession are as great as the certified public accountants' profession.

Perhaps the medical profession, with the great advance in medicine in the last 15 years, also has grown to great stature in the problems that are facing that particular profession.

Take the CPA profession, we are living in a tremendously complex business world today. I realize that this big merger of the two banks in Philadelphia is before the courts, the merger of the Girard Trust Company and the Philadelphia National Bank. That is one of the biggest mergers in the Nation. Who is planning that merger and handling the accounting of it and putting it together? The certified public accountants. The big accounting firms are handling that big merger. Great things are happening in this Country and in this State. Men of the CPA profession have to be men of learning, men who know what they are talking about.

The field of taxation has grown tremendously. Our putting on the sales tax, for instance, in Pennsylvania has opened a whole new set of problems to the CPA in making out these sales tax returns. There are some assessments here that run into hundreds of thousands of dollars for the sales tax alone. That takes a well-trained man, a man who knows his stuff, who can thoroughly analyze and really do a great job in the field of taxation, to say nothing of the huge problems today in Federal taxes and other State taxes, the corporate net income tax, the capital stock tax and the acceleration in everything that we have done. Your accountants are doing that, the certified public accountants, and they must be well trained. The SEC requirements, the mergers of these companies, the issuing of new stock issues, that is all set up by CPA's; it is not done by the lawyers. The lawyers tell them what the law is, but the setting up of it is done by the certified public accountants' profession.

For the audits of the great State of Pennsylvania, for instance, they set up our accounting system here. Believe me, to do that requires people who know the science of State government, what we are trying to accomplish and how the system would fit into our scheme of things in running this great State government of ours. We could go on about the setting up of the books for these great authorities, auditing, the General State Authority, the State Public School Building Authority. Talking about the merger of the big banks, today all the banks in the State are requiring independent audits by certified public ac-

countants. That goes for the big insurance companies and everybody.

The CPA profession realized the problems that were being put into their laps from day to day and the resulting growth of this profession. All they are saying is that six years from now you should have the equivalent of a college education. With what we are doing here in this General Assembly with community colleges and with the growth of college-trained people, it is going to be the easiest thing in the world six years from now to have the equivalent of a college education. I cannot see anything wrong with this bill.

As I say, the legal profession for years has required the equivalent of a college education. You can become a lawyer today without going to law school or going to college. All you have to do is study on the side, pass a reasonable examination, show that you have the equivalent of a college education, read law in a lawyer's office for three years, and you can take the bar examination. Many, many do that, and nobody is saying that the legal profession is stifling competition among the youth of America.

I think this is a fair bill and it is a bill that this profession needs to upgrade them because of the complex life they are facing today in the business world.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—114

Anderson, J. H.	Gibb,	Riley,	Rubin,
Anderson, S. A.,	Gibbons,	Lippincott,	Scarcell,
Arlene,	Goldstein, J. H.,	Magee,	Schaaf,
Auker,	Gramlich,	Manbeck,	Seltzer,
Bachman,	Gray,	Marsh,	Shelton,
Backenstoe,	Greenlee,	Maxwell,	Shupnik,
Boles,	Gremminger,	May,	Simmons,
Breth,	Gross,	McCandless,	Slack,
Buchanan,	Hankins,	McCann,	Stank,
Bush,	Haudenshield,	McCormack,	Steckel,
Capitolo,	Heavey,	McDevitt,	Stimmel,
Crossin,	Heffner,	McInroy,	Stone,
Curwood,	Helm,	McKeever,	Thompson,
Davis,	Henzel,	Meholchick,	Tomasick,
Dengler,	Holl,	Merry,	Tompkins,
Dennison,	Holliday,	Monroe,	Ujobal,
Donaldson,	Holman,	Mills,	Wall,
Dougherty,	Jenkins,	Murphy,	Wargo,
Doughten,	Jim,	Murray,	Weidner,
Down,	Johnson, A. W.,	Needham,	Welsh,
Ellberg,	Johnson, R. P.,	O'Dell,	Whittaker,
Esler,	Jones,	Parlante,	Willard,
Ewing,	Kelly,	Pashley,	Williams,
Fetterolf,	Kernaghan,	Petrosky,	Williams, A. D.,
Fineman,	King,	Polen,	Wilt,
Frascella,	Klein,	Reibman,	Worley,
Fry,	Kooker,	Reidenbach,	Wynd,
Galley,	Lawson,	Renwick,	Zember,
Gallagher,	Lee, A. M.,		

NAYS—82

Adams,	Fox,	Long, Wm. Jas.,	Royer,
Ashton,	Fulmer,	Long, Wm. Jos.,	Rudisill,
Blair,	Gelfand,	Lutty,	Rutherford,
Bonner,	Goldstein, M. H.,	Markley,	Sakulsky,
Bower,	Goodrich,	McDonald,	Schuster,
Branca,	Guesman,	McLaughlin,	Sherman,
Capano,	Guthrie,	McNally,	Snare,
Cauley,	Hamilton,	Miller,	Stiteler,
Cioffi,	Hartley,	Morley,	Sullivan, J. A.,
Clarke,	Hocker,	Mullen,	Sullivan, T. F.,
Comer,	Horst,	Musto,	Taylor,
Cooley,	Irvls,	O'Donnell, J. A.,	Trusio,
Edwards,	Kamyk,	O'Donnell, J. F.,	Varner,

Elvey,
Eshback,
Eshleman,
Farabaugh,
Filo,
Flynn,
Foerster,
Foor,

Kelser,
Kistler,
Knecht,
Kornick,
Korns,
Kramer,
Leonard,
Limper,

Ogilvie,
Perry,
Polaski,
Prendergast,
Price,
Pursley,
Rovansek,

Verona,
Walsh,
Wescott,
Wood,
Yetter,
Zimmerman,
Andrews,
Speaker

NOT VOTING—14

Bossert,
Bowman,
Cianfrani,
George,

Isaacs,
Kessler,
Lamb,
Lee, K. B.,

Mihm,
Munley,
Odorisio,

Piper,
Strausser,
Williams, E. S.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

ANNOUNCEMENT OF CAUCUSES

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. McCANN. Mr. Speaker, it is now 5 p.m. We are going to break for caucus, both parties, and we will caucus on bills now and, when we come on the floor tomorrow, we will vote on the bills. But we will not return to the floor of the House after the caucus. We have indicated the bills on which the respective parties will caucus, in addition to the bills on concurrence in Senate amendments and resolutions. We will return to the floor tomorrow and we will be in a position to proceed with the votes.

I will ask that we proceed immediately and I ask the membership to bring their calendars with them.

We will clear the desk. There is a reconsideration motion, a recall resolution amending Senate bill 100 and, I believe, one other one that was agreed to, the only bills before we go upstairs and downstairs to our caucuses. I will ask our membership to proceed to the House caucus room and bring their calendars with them. We will not return here and the House will convene tomorrow at 11 a. m., daylight saving time.

The SPEAKER pro tempore. The Chair recognizes the minority leader.

Mr. A. W. JOHNSON. May I request the members on the Republican side to go to the caucus room and I will be up there just as quickly as possible so that our caucus will get over with as rapidly as possible.

COMMITTEE MEETINGS

APPROPRIATIONS, Mr. Polen, chairman, Room 245, Wednesday, June 28, at 9:30 a. m. Hearing on House bill No. 1096.

HIGHWAYS, Mr. Comer, chairman, Room 521, Wednesday, June 28, at 9:30 a. m.

LAW and ORDER, Mr. Welsh, chairman, Room 522, Wednesday, June 28, at 10:30 a. m.

MOTOR VEHICLES, Mr. Limper, chairman, Room 521, Wednesday, June 28, at 10:30 a.m.

TOWNSHIPS, Mr. Flynn, chairman, Room 131-A, Wednesday, June 28, at 10 a. m.

WELFARE, Mr. Stone, chairman, Room 331, Wednesday, June 28, at 10:30 a. m.

ALL TIMES ARE DAYLIGHT SAVING TIME.

RECONSIDERATION OF VOTE ON HOUSE BILL NO. 131

Mr. FINEMAN. Mr. Speaker, I move that the vote by which House bill No. 131, printer's No. 2388, entitled:

"An Act defining and relating to installment land contracts in cities of the first class and providing for and regulating the rights and obligations between parties to such contracts under certain terms and conditions."

was defeated on final passage Monday, June 26, 1961, be reconsidered.

Mr. DOUGHERTY. Mr. Speaker, I second the motion.

The SPEAKER pro tempore. How did the gentleman from Philadelphia, Mr. Fineman, vote on the final passage of this bill?

Mr. FINEMAN. Mr. Speaker, I voted with the prevailing side.

The SPEAKER pro tempore. How did the gentleman from Philadelphia, Mr. Dougherty, vote on the final passage of this bill?

Mr. DOUGHERTY. Mr. Speaker, I voted with the prevailing side.

On the question,
Will the House agree to the motion?
It was agreed to.

On the question recurring,
Shall the bill pass finally?

BILL POSTPONED

Mr. McCANN. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. HAMILTON asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE CONCURRENT RESOLUTION RECALLING HOUSE BILL No. 1186 FROM GOVERNOR

Commonwealth of Pennsylvania
Governor's Office, Harrisburg
June 21, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 1186, Printer's No. 1350, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

DAVID L. LAWRENCE.

RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. DOUGHERTY. Mr. Speaker, I second the motion.

The SPEAKER pro tempore. How did the gentleman

from Greene, Mr. McCann, vote on the final passage of this bill?

Mr. McCANN. Mr. Speaker, I voted with the prevailing side.

The SPEAKER pro tempore. How did the gentleman from Philadelphia, Mr. Dougherty, vote on the final passage of this bill?

Mr. DOUGHERTY. Mr. Speaker, I voted with the prevailing side.

On the question,
Will the House agree to the motion?

It was agreed to.

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,
Will the House agree to the bill on third reading?

Mr. SCARCELLI asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Sec. 2, page 6, line 9, by striking out "immediately" and inserting: "upon the passage of substantially similar legislation by the State of New Jersey."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,
Will the House agree to the amendments?
It was agreed to.

On the question,
Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1404, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), changing the penalty provisions for collection of per capita taxes in school districts of the first class less than 1,500,000 population.

On the question,
Will the House agree to the bill on third reading?

Mr. LAMB asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Sec. 1 (Sec. 663), page 2, line 17, by inserting brackets before and after "or" and inserting immediately thereafter: "and if"

Amend Sec. 1 (Sec. 663), page 2, line 17, by inserting after "thereof": "for a period in excess of ten days from imposition"

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,
Will the House agree to the amendments?
They were agreed to.

On the question,
Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 100, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" by making persons over sixteen years of age subject to certain penal provisions of the act.

On the question,
Will the House agree to the bill on third reading?
Mr. FINEMAN asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Sec. 2 (Sec. 1203.1), page 3, line 6, by inserting after "act": "except that no jail sentence shall be imposed on any person under eighteen years of age for failing to pay any fine imposed in the summary conviction but if any such person fails to pay the fine notice of such fact shall be certified to the juvenile court having jurisdiction over such person."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,
Will the House agree to the amendment?
It was agreed to.

On the question,
Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 213, entitled:

An Act fixing maximum hours of service for policemen in cities of the second class A.

On the question,
Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be re-committed to the Committee on Cities—Counties Second Class and Second Class A.

The motion was agreed to.

HOUSE RESOLUTION NO. 84

Mr. McCANN. Mr. Speaker, I call up House Resolution No. 84 on page 41 of today's calendar.

The resolution was read by the clerk as follows:

In the House of Representatives, June 13, 1961.

The numerous departmental rules regulations and decisions determining what items are taxable and what

items are not taxable under the provisions of the act of March 6, 1956 (P. L. 1228), known as the "Selective Sales and Use Tax Act" make it extremely difficult for individuals or businesses attempting to comply with the law to properly collect the taxes due. Failure to provide such individuals and businesses with adequate information is very likely causing a considerable loss of revenue to our Commonwealth.

It is also extremely difficult for members of the General Assembly to intelligently legislate on taxes unless they are supplied with specific listings of items which are presently taxable or exempt from tax. If the Legislature had before it for its use and study a complete listing of the commodities which are subject to tax and of the commodities which are not subject to the tax either by the law itself or under rules, regulations or decisions such information would assist greatly in determining new sources of revenue and in determining what additional exemptions if any would be beneficial to the well-being of our Commonwealth therefore be it

Resolved That the House of Representatives hereby requests that the Bureau of Sales and Use Tax of the Department of Revenue prepare and issue a listing of specific items which are taxable and specific items which are not taxable under the provisions of the "Selective Sales and Use Tax Act" and rules regulations and decisions pursuant thereto and be it further

Resolved That such listing shall be prepared and copies thereof made available for use of the General Assembly.

On the question,

Will the House adopt the resolution?

Mr. FULMER offered the following amendment:

Amend last resolution, page 2, line 8, by inserting after "Assembly": "not later than two weeks after the adoption of this resolution"

On the question,

Will the House agree to the amendment?

It was agreed to.

The SPEAKER pro tempore. The resolution will lie over for printing under the rules.

RESOLUTION INTRODUCED AND REFERRED

By Messrs. ROVANSEK, MARSH, DENNISON, POLEN, VARNER, STANK and HELM. RESOLUTION No. 87.

In the House of Representatives, June 27, 1961.

It is alleged that strip mining is a contributing factor to stream pollution in Pennsylvania. The economic life and the agricultural future of our great Commonwealth can well depend upon the operation of open pit mining; therefore be it

Resolved, That the Joint State Government Commission conduct a study and make a survey of the open pit mining operations in the bituminous and anthracite coal fields of Pennsylvania. This study should encompass the effects of strip mining in relation to the economic life and agricultural future of our State. The Joint State Government Commission should also examine the relationship of strip mining to the future pure water resources of the Commonwealth. Finally they should determine if open pit mining is the cause of stream pollution or if the source of pollution actually comes from acid drainage from deep mines, and be it further

Resolved, That the Joint State Government report to the General Assembly not later than January, 1963. Their report shall include drafts of legislation which they feel is needed to carry their recommendations into effect.

Referred to the Committee on Rules.

SENATE MESSAGE

TIME OF NEXT MEETING

The clerk of the Senate being introduced presented an

extract from the Journal of the Senate, which was read as follows:

In The Senate, June 27, 1961.

Resolved, (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene Thursday, July 6, 1961, at a time to be fixed by the Senate; and when the House of Representatives adjourns this week, it reconvene Monday, July 10, 1961, at a time to be fixed by the House, unless sooner recalled by the Speaker of the House of Representatives.

Ordered, That the clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the clerk inform the Senate accordingly.

COMMUNICATION

SENATE JOINT RESOLUTION NO. 22—STATE OF ALABAMA

The SPEAKER pro tempore laid before the House a communication and resolution adopted by the Legislature of Alabama, which was read by the clerk as follows:

SENATE CHAMBER MONTGOMERY

Alabama

J. Earl Speight, Secretary

June 19, 1961.

In accordance with the provisions of joint resolution adopted by the Legislature of Alabama, Regular Session, 1961, I am enclosing herewith copy of Senate Joint Resolution 22. This is done at the direction of the Resolution itself.

S/ J. E. Speight

J. E. Speight

Secretary of Senate

STATE OF ALABAMA

(Seal)

SENATE JOINT RESOLUTION 22

By Messrs. Robinson, Berryman, Graham, Webb, Kendall, Caffey, Jones, Rutledge, Givhan, Turner, deGraffenried, Haltom, Andrews, Samford, Eddins, Archer and Hines

WHEREAS Amendments IX and X of the Constitution of the United States, proposed by the Congress and ratified by the legislature of the several states, pursuant to Article V of the Constitution, read:

"Amendment IX

"The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

"Amendment X

"The Powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."

and

WHEREAS in recent times there has been an apparent inclination on the part of the several branches of our Federal government to treat lightly the fact that our national government is one of limited and delegated authority, and that such agencies seem disposed to by-pass the importance of the provisions of the said ninth and tenth amendments.

NOW, THEREFORE, BE IT RESOLVED, by the Senate of Alabama, the House of Representatives concurring:

1. That the legislature of Alabama memorialize the legislatures of the respective states of the United States by sending a copy of this resolution to the Secretary of the Senate of the respective states and Clerk of the House of each state, urging the legislatures of the states to take whatever steps they deem appropriate or expedient to recover the powers reserved to the states respectively or to the people and to secure strict adherence to the ninth and tenth amendments to the Constitution of the United States.

2. That a copy of this resolution be sent to each Congressman from Alabama and Alabama's two United States Senators.

3. That the Secretary of the Senate of Alabama be instructed to carry out the provisions of paragraphs 1 and 2 above.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 929.

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), deleting certain limitations with respect to aids and services to the blind.

HOUSE BILL No. 973.

An Act amending the "Estate Tax Apportionment Act of 1951" approved August 24, 1951 (P. L. 1405), authorizing the court to assess certain expenses against non-testamentary property or interests.

HOUSE BILL No. 979.

An Act amending the "Incompetents' Estates Act of 1955" approved February 28, 1956 (P. L. 1154), including the person of an incompetent within the provisions of the act and providing for appointment of a coguardian or succeeding guardian.

HOUSE BILL No. 1077.

An Act amending "The Mental Health Act of 1951" approved June 12, 1951 (P. L. 533), authorizing superintendents to exercise discretion by and with the advice of certain other physicians or surgeons with respect to the performance of surgery on certain patients.

HOUSE BILL No. 1545.

An Act authorizing the transfer of real property in the City of Scranton Lackawanna County from the Department of Highways to the Department of Public Welfare for use of Clarks Summit State Hospital.

With the information that the Senate has passed the same without amendment.

SENATE MESSAGE

The clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Amended House Bill returned for concurrence No. 718.

ADJOURNMENT

Mr. EWING. Mr. Speaker, I move that this House do now adjourn until Wednesday, June 28, 1961, at 10 a. m., e.s.t.

The motion was agreed to, and (at 4:12 p.m., e.s.t.) the House adjourned.

Legislative Journal.

Session 1961.

145th of the General Assembly.

Vol. 38.

HARRISBURG, PA., WEDNESDAY, JUNE 28, 1961.

No. 69.

SENATE

WEDNESDAY, JUNE 28, 1961

The Senate met at 10:30 a.m., Eastern Standard Time.

The PRESIDING OFFICER (John H. Ware, III) in the Chair.

PRAYER

The Chaplain, Rabbi DAVID L. SILVER, Keshar Israel Congregation, Harrisburg, offered the following prayer:

Let us all join in prayer for divine counsel and direction in the discussions and in the conclusions that are rendered in this Chamber.

As you weight in the balance the contentions of various groups and forces, may you ever be mindful of the Biblical saying that a race is not won necessarily by those who are more swift footed, nor does victory in battle belong to those who are physically stronger. Values of a spiritual nature and attributes of human character outweigh considerations of a purely material and physical nature. May we all ever be mindful of these higher considerations.

God grant you all continued strength and wisdom in the performance of your duties. May He bless you for the sincerity of your labor and for the dedication of your service. Amen.

JOURNAL APPROVED

The PRESIDING OFFICER. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WEINER and Mr. DONOLOW, further reading was dispensed with, and the Journal was approved.

NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

MEMBER OF THE BOARD OF TRUSTEES OF FARVIEW
STATE HOSPITAL

June 28, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to

nominate for the advice and consent of the Senate Benton H. Whipple, 351 East Main Street, Laceyville, Wyoming County, for appointment as a member of the Board of Trustees of Farview State Hospital, until the third Tuesday of January 1965, and until his successor is appointed and qualified, vice J. Mark Robinson, Tunkhannock, whose term expired.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

June 28, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John J. Senick, Freemansburg Road, Butztown, Northampton County, for appointment as Justice of the Peace in and for the Township of Bethlehem, Northampton County, to serve until the first Monday of January 1962, vice Joseph Senick, deceased.

DAVID L. LAWRENCE.

HOUSE MESSAGES

SENATE BILLS RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives being introduced, returned to the Senate, **SB 115** and **439**, with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bills, as amended, will be placed on the Calendar.

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

He also informed the Senate that the House has concurred in resolution from the Senate, entitled:

Weekly adjournment

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence **HB 826**, **884**, **1616**, **1666**, **1667**, **1672** and **1704**, which were referred to the Committee on Elections.

He also presented for concurrence **HB 1162**, which was referred to the Committee on State Government.

He also presented for concurrence **HB 1427** and **1642**, which were referred to the Committee on Local Government.

He also presented for concurrence **HB 1678**, which was referred to the Committee on Finance.

He also presented for concurrence **HB 1720**, which was referred to the Committee on Education.

COMMITTEE OF CONFERENCE APPOINTED ON HB 715

The PRESIDING OFFICER. The Chair announces, on behalf of the President pro tempore, the appointment of Messrs. RIPP, SILVERT and WADE as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (if the House shall appoint such committee) to consider the differences existing between the two houses in relation to House Bill No. 715.

Ordered, That the Clerk inform the House of Representatives accordingly.

COMMITTEE OF CONFERENCE APPOINTED ON HB 716

The PRESIDING OFFICER. The Chair also announces on behalf of the President pro tempore, the appointment of Messrs. RIPP, SILVERT and WADE as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (if the House shall appoint such committee) to consider the differences existing between the two houses in relation to House Bill No. 716.

Ordered, That the Clerk inform the House of Representatives accordingly.

COMMITTEE OF CONFERENCE APPOINTED ON HB 869

The PRESIDING OFFICER. The Chair further announces, on behalf of the President pro tempore, the appointment of Messrs. MURRAY, KALMAN and VAN SANT as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (if the House shall appoint such committee) to consider the differences existing between the two houses in relation to House Bill No. 869.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORTS FROM COMMITTEES

Mr. MURRAY, from the Committee on Education, reported, as committed, **SB 196, 396, 603, 662 and 708**; as amended, **SB 628**.

Mr. CONFAIR, from the Committee on Law and Order, reported, as committed, **SB 8, 811, HB 360, 735, 948 and 1450**.

SENATE CONCURRENT RESOLUTION

REQUESTING THAT INTERSTATE HIGHWAY NUMBER 81 BE DESIGNATED AS THE "SUSQUEHANNA EXPRESSWAY"

Messrs. MURRAY and FLACK offered the following resolution (Serial No. 124), which was read considered and adopted:

In the Senate, June 28, 1961.

In the near future a new highway is to be constructed in the vicinity of the Susquehanna River. It is to be a part of our great new Interstate Highway System. This highway which will run north and south along the banks of the river should carry the name of "Susquehanna," therefore be it

RESOLVED (the House concurring), That Interstate Highway Number 81 extending from the northeast part of the State to the southeast section is to be designated as the "Susquehanna Expressway"; and be it further

RESOLVED, That the Department of Highways shall

erect along said highway suitable tablets or markers to perpetuate this resolution but it shall not replace or change the officially designated route number.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

PERMISSION TO ADDRESS SENATE

Mr. BELL asked and obtained unanimous consent to address the Senate.

Mr. BELL. Mr. President and Members of the Senate, the resolution I am about to introduce is to commend a very capable gentleman who is shortly leaving the Commonwealth. For the past two years, the Twenty-First United States Army Corps, with its headquarters at Indiantown Gap, has been commanded by Major General Ralph Cooper. During his tour in Pennsylvania, he has won the admiration of the Army Reserve personnel under his command, which consist of some 40,000 citizens of the Commonwealth.

Yesterday afternoon, I mentioned to the Adjutant General, Malcolm Hay, that I intended to present this resolution. General Hay concurred in my statements and was most highly complimentary of the tremendous work which this Army officer has performed for the people of Pennsylvania.

SENATE RESOLUTION

COMMENDING MAJOR GENERAL RALPH C. COOPER

Mr. BELL offered the following resolution (Serial No. 77), which was read, considered and adopted:

In the Senate, June 28, 1961.

WHEREAS, Ralph C. Cooper, Major General, U. S. Army, has commanded the XXI U. S. Army Corps since the Fall of 1959; and

WHEREAS, During this period his command has included all of the Reserve Army personnel in the State of Pennsylvania; and

WHEREAS, During the same period the Headquarters of the XXI U. S. Army Corps has been located at Indiantown Gap Military Reservation and employs many hundreds of Pennsylvania residents; and

WHEREAS, During his tour of duty as Commanding General of the XXI U. S. Army Corps, the performance of Major General Ralph C. Cooper has been exemplary with respect to his close support and cooperation with the Adjutant General of Pennsylvania, the Pennsylvania National Guard, and in his sterling leadership of the Pennsylvania Reservists and the civilian employees of his Headquarters; and

WHEREAS, In April 1961, the performance of Major General Ralph C. Cooper has been such as to cause the Department of Pennsylvania, Reserve Officers Association of the United States, to honor him with its commendation citation on behalf of all Reserve Officers of all services of Pennsylvania; and

WHEREAS, General Cooper has recently been re-assigned to the office of the Deputy Chief of Staff for Logistics of the Department of the Army, with his new office being in the Pentagon in Washington; therefore be it

RESOLVED, That the Senate of Pennsylvania extend its commendation to Major General Ralph C. Cooper for the dedicated service performed to the United States Army and to the soldiers of Pennsylvania; and be it further

RESOLVED, That copies of this resolution be furnished to Major General Ralph C. Cooper, to the Secretary of Defense, and to the Commanding General, Second United States Army, to express the gratitude of the people of Pennsylvania for Major General Cooper's performance which has reflected great credit to the Armed Forces of the United States.

SENATE CONCURRENT RESOLUTION

REQUESTING THE CREATION OF A JOINT
COMMITTEE OF HIGHWAY CLASSIFICATION

Messrs. ROONEY and VAN SANT offered the following resolution (**Serial No. 125**), which was read, considered and adopted:

In the Senate, June 28, 1961.

Experience has shown that an efficient system of highways, roads and streets is essential to all segments of the economy of the Commonwealth.

The great increase in the amount of highway travel and the rising cost of operation of the highway, road and street systems has made it difficult, if not impossible, to correct inadequacies in the highways, roads and streets rapidly enough to satisfy the public demands and needs; therefore be it

RESOLVED (the House concurring), That necessity exists for a comprehensive highway system classification study of the State and local highway, road and street systems of the Commonwealth to aid in (1) establishing appropriate standards for type of services required; (2) evaluating present and future needs; and (3) long-range planning, programming and financing; and be it further

RESOLVED, That

(1) A Highway Classification Committee be created to study classification as to functional use of the State and local highway systems of the Commonwealth, which committee shall be composed of both House and Senate majority and minority leaders, the chairman and a minority representative of both the Senate and House Highways Committees, and the Secretary of Highways.

(2) The Department of Highways be requested to undertake such a study and to employ by contract, or otherwise, an accredited impartial organization experienced in the field of highway planning as recommended by the Secretary of Highways and approved by the committee to conduct such a study and prepare reports.

(3) The Department of Highways be authorized to defray the cost of such a study from the Motor License Fund and undertake to secure matching contributions of Federal funds available for highway planning to the extent that such funds are available.

(4) Agencies of the State government and local municipalities be requested to cooperate with the Department of Highways in the conduct of the study; and be it further

RESOLVED, That the Department of Highways report periodically to the committee so that future conduct of the study may be guided by the committee; and be it further

RESOLVED, That the committee make a report of the study to the General Assembly during the first month of the Legislative Session of 1963, together with its recommendations in connection therewith.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

REPORT FROM COMMITTEE

Mr. DEVLIN, by unaniomus consent, from the Committee on Judiciary General, reported, as committed, **SB 805**.

GUESTS OF SENATOR MARTIN L. MURRAY
PRESENTED TO SENATE

Mr. MURRAY. Mr. President, I would like to introduce to the Chair, and to the Members of the Senate, some distinguished visitors from Luzerne County. They are here this morning visiting the Capitol. The group consists of Mrs. Sally Thomas and her son, Michael, and Mrs. Helen O'Connor and her sons, Kevin, Joseph, Michael, James, Thomas, Patrick and daughter, Mary Ellen.

I might add, Mr. President, that Mrs. O'Connor is the Register of Wills in Luzerne County.

These guests are sitting over here to my right. I ask the Chair to welcome them to the Senate of Pennsylvania.

The PRESIDING OFFICER. Thank you, Senator Murray.

You would have been remiss, indeed, had you not called our attention to these distinguished visitors.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

SB 65 (Pr. No. 970)—Mr. WEINER. Mr. President, I move that the Senate do nonconcur in the amendments made by the House to Senate Bill No. 65.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS,
OVER IN ORDER

SB 94—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

SB 99 (Pr. No. 972)—Mr. WEINER. Mr. President, I move that the Senate do nonconcur in the amendments made by the House to Senate Bill No. 99.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

FINAL PASSAGE CALENDAR

BILLS OVER IN ORDER

HB 197 and 227—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

BILL ON FINAL PASSAGE

HB 345 (Pr. No. 2303)—And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Bell,	Kalman,	Mullin,	Stalsey,
Berger,	Keller,	Murray,	Stevenson,
Camel,	Kromer,	Pechan,	Stiefel,
Confair,	Lane,	Ripp,	Taylor,
Devlin,	Madigan,	Rooney,	Van Sant,
DiSilvestro,	Mahady,	Sarraf,	Wade,
Donolow,	Mallery,	Scott,	Wagner,
Flack,	McCreesh,	Sesler,	Weiner,
Fleming,	McGinnis,	Seyler,	Wolfe,
Haluska,	McMenamin,	Shafer,	Yatron,
Hawbaker,	Miller,	Silvert,	Ware, III,
Hays,			Presiding Officer

NAYS—5

Chapman,	Kessler,	Proper,	Stroup,
Ehrgood,			

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

BILLS OVER IN ORDER

SB 493 and 687—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

HB 1082—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

RECESS

Mr. SILVERT. Mr. President, I request a ten minute recess of the Senate for the purpose of holding a meeting of the committee on Finance, to be held in the office of the Committee on Appropriations.

The PRESIDING OFFICER. Are there any objections? The Chair hears no objection, and declares a ten minute recess of the Senate.

AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed, the Senate will be in order.

REPORT FROM COMMITTEE

Mr. SILVERT, by unanimous consent, from the Committee on Finance, reported, as committed, **HB 573**.

THIRD READING CALENDAR

BILLS OVER IN ORDER

HB 67—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

HB 95—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILLS ON THIRD READING AND FINAL PASSAGE

SB 129 (Pr. No. 129)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Weiner,
Flack,	McCreesh,	Seyler,	Wolfe,
Fleming,	McGinnis,	Shafer,	Yatron,
Haluska,	McMenamin,	Silvert,	Ware, III,
Hawbaker,	Miller,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SB 131 (Pr. No. 131)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Weiner,
Flack,	McCreesh,	Seyler,	Wolfe,
Fleming,	McGinnis,	Shafer,	Yatron,
Haluska,	McMenamin,	Silvert,	Ware, III,
Hawbaker,	Miller,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

SB 261 and 322—Without objection, the bills were passed over in their order at the request of Mr. LANE.

BILLS ON THIRD READING AMENDED

SB 344 (Pr. No. 862)—Read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. BERGER, by unanimous consent, offered the following amendments

Amend Sec. 7, page 8, lines 12 and 13, by striking out both lines and inserting: Applications for restricted certificates must be applied for within two years of the effective date of this act

Amend Sec. 9, page 9, line 7, by inserting after "(\$2)": All certificates holders will be granted renewals upon compliance with this section

On the question,

Will the Senate agree to the amendments?

They were agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. BERGER.

SB 345 (Pr. No. 863)—Read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. BERGER, by unanimous consent, offered the following amendments:

Amend Title, page 1, first line of Title, by striking out "and private water supplies."

Amend Title, page 1, fourth line of Title, by striking out "or private water supplies."

Amend Sec. 1, page 2, line 6 to 8, by striking out all of said lines.

Amend Sec. 1, page 2, line 9, by striking out "(3)" and inserting: (2)

Amend Sec. 1, page 2, line 12, by striking out "(4)" and inserting: (3)

Amend Sec. 1, page 2, line 15, by striking out "(5)" and inserting: (4)

Amend Sec. 1, page 2, line 17, by striking out "(6)" and inserting: (5)

Amend Sec. 2, page 3, line 2, by striking out "or a private water supply."

Amend Sec. 2, page 3, lines 3 and 4, by striking out "or private water supply."

Amend Sec. 2, page 3, line 5, by striking out "or private water supply."

Amend Sec. 2, page 3, line 5, by striking out "or private water supply."

Amend Sec. 2, page 3, line 7, by striking out "or supply."

Amend Sec. 4, page 4, line 1, by striking out "and private water supplies."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. BERGER.

BILL OVER IN ORDER

SB 351—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILLS ON THIRD READING AND FINAL PASSAGE

SB 496 (Pr. No. 547)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Weiner,
Flack,	McCreesh,	Seyler,	Wolfe,
Fleming,	McGinnis,	Shafer,	Yatron,
Haluska,	McMenamin,	Silvert,	Ware, III,
Hawbaker,	Miller,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

HB 519 (Pr. No. 2419)—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. MULLIN, Mr. President, I am going to vote against this bill, and I would like to give my reasons for doing so.

This bill would permit determination of intoxication by taking of certain chemical tests. The tests can only be made with the consent of the person. Therefore, if a man is intoxicated and gives his consent, I would say that his consent would be meaningless. On the other hand, if he is sober, he probably would not give his consent.

I think that the bill is certainly without merit, and if a bill does not have any merit, I do not see why we should enact it into law.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Bell,	Hawbaker,	Murray,	Stevenson,
Berger,	Hays,	Pechan,	Stiefel,
Camel,	Keller,	Propert,	Stroup,
Chapman,	Kessler,	Ripp,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarraf,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Weiner,
Ehrgood,	Mallery,	Seyler,	Wolfe,
Flack,	McCreesh,	Shafer,	Yatron,
Fleming,	McGinnis,	Silvert,	Ware, III,
Haluska,	Miller,	Stalsey,	Presiding Officer

NAYS—3

Kalman,	McMenamin,	Mullin,
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A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

SB 576 (Pr. No. 650)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bell,	Hawbaker,	Miller,	Stalsey,
Berger,	Hays,	Mullin,	Stevenson,
Camel,	Kalman,	Murray,	Stiefel,
Chapman,	Keller,	Pechan,	Stroup,
Confair,	Kessler,	Ripp,	Taylor,
Devlin,	Kromer,	Rooney,	Van Sant,
DiSilvestro,	Lane,	Sarraf,	Wade,
Donolow,	Madigan,	Scott,	Wagner,
Ehrgood,	Mahady,	Sesler,	Weiner,
Flack,	Mallery,	Seyler,	Wolfe,
Fleming,	McCreesh,	Shafer,	Yatron,
Haluska,	McGinnis,	Silvert,	Ware, III,
			Presiding Officer

NAYS—2

McMenamin,	Propert,
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A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

SB 610 and 615—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

BILL ON THIRD READING AND FINAL PASSAGE

SB 620 (Pr. No. 708)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bell,	Hawbaker,	Miller,	Stalsey,
Berger,	Hays,	Mullin,	Stevenson,
Camel,	Kalman,	Murray,	Stiefel,
Chapman,	Keller,	Pechan,	Stroup,
Confair,	Kessler,	Ripp,	Taylor,
Devlin,	Kromer,	Rooney,	Van Sant,
DiSilvestro,	Lane,	Sarraf,	Wade,

Donolow, Ehrgood, Flack, Fleming, Haluska,	Madigan, Mahady, Mallery, McCreesh, McGinnis,	Scott, Sesler, Seyler, Shafer, Silvert,	Wagner, Weiner, Wolfe, Yatron, Ware, III, Presiding Officer
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NAYS—2

McMenamin, Propert,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

SB 646, 688 and 690—Without objection, the bills were passed over in their order at the request of Mr. HAYS.

SB 704, 705, 706 and 707—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

BILLS ON THIRD READING AND FINAL PASSAGE

HB 722 (Pr. No. 2371)—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell, Berger, Camiel, Chapman, Confair, Devlin, DiSilvestro, Donolow, Ehrgood, Flack, Fleming, Haluska, Hawbaker,	Hays, Kalman, Keller, Kessler, Kromer, Lane, Madigan, Mahady, Mallery, McCreesh, McGinnis, McMenamin, Miller,	Mullin, Murray, Pechan, Propert, Ripp, Rooney, Sarraf, Scott, Sesler, Seyler, Shafer, Silvert,	Stalsey, Stevenson, Stiefel, Stroup, Taylor, Van Sant, Wade, Wagner, Weiner, Wolfe, Yatron, Ware, III, Presiding Officer
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NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

SB 746 (Pr. No. 1007)—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

*On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell, Berger, Camiel, Chapman, Confair, Devlin, DiSilvestro,	Hays, Kalman, Keller, Kessler, Kromer, Lane, Madigan,	Mullin, Murray, Pechan, Propert, Ripp, Rooney, Sarraf,	Stalsey, Stevenson, Stiefel, Stroup, Taylor, Van Sant, Wade,
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Donolow, Ehrgood, Flack, Fleming, Haluska, Hawbaker,	Mahady, Mallery, McCreesh, McGinnis, McMenamin, Miller,	Scott, Sesler, Seyler, Shafer, Silvert,	Wagner, Weiner, Wolfe, Yatron, Ware, III, Presiding Officer
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NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SB 768 (Pr. No. 916)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell, Berger, Camiel, Chapman, Confair, Devlin, DiSilvestro, Donolow, Ehrgood, Flack, Fleming, Haluska, Hawbaker,	Hays, Kalman, Keller, Kessler, Kromer, Lane, Madigan, Mahady, Mallery, McCreesh, McGinnis, McMenamin, Miller,	Mullin, Murray, Pechan, Propert, Ripp, Rooney, Sarraf, Scott, Sesler, Seyler, Shafer, Silvert,	Stalsey, Stevenson, Stiefel, Stroup, Taylor, Van Sant, Wade, Wagner, Weiner, Wolfe, Yatron, Ware, III, Presiding Officer
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NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

SB 790—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILL ON THIRD READING, DEFEATED ON FINAL PASSAGE

HB 837 (Pr. No. 1957)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—23

Camiel, Devlin, DiSilvestro, Donolow, Haluska, Hays,	Kalman, Lane, Mahady, McCreesh, McGinnis, Mullin,	Murray, Ripp, Rooney, Sarraf, Sesler, Seyler,	Silvert, Stalsey, Stiefel, Weiner, Yatron,
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NAYS—23

Bell, Berger, Chapman, Confair, Flack, Fleming,	Hawbaker, Kessler, Kromer, Madigan, Mallery, McMenamin,	Pechan, Propert, Shafer, Stevenson, Stroup, Taylor,	Van Sant, Wade, Wagner, Wolfe, Ware, III, Presiding Officer
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Less than a majority of all the Senators having voted "aye," the question was determined in the negative, and the bill was defeated.

BILLS OVER IN ORDER

HB 880—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

HB 1139 and 1181—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

BILL ON THIRD READING AND FINAL PASSAGE

HB 1212 (Pr. No. 1385)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Weiner,
Flack,	McCreesh,	Seyler,	Wolfe,
Fleming,	McGinnis,	Shafer,	Yatron,
Haluska,	McMenamin,	Silvert,	Ware, III,
Hawbaker,	Miller,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

HB 1241—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILLS ON THIRD READING AND FINAL PASSAGE

HB 1346 (Pr. No. 1592)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Weiner,
Flack,	McCreesh,	Seyler,	Wolfe,
Fleming,	McGinnis,	Shafer,	Yatron,
Haluska,	McMenamin,	Silvert,	Ware, III,
Hawbaker,	Miller,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 1347 (Pr. No. 1593)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Weiner,
Flack,	McCreesh,	Seyler,	Wolfe,
Fleming,	McGinnis,	Shafer,	Yatron,
Haluska,	McMenamin,	Silvert,	Ware, III,
Hawbaker,	Miller,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 1350 (Pr. No. 1596)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Weiner,
Flack,	McCreesh,	Seyler,	Wolfe,
Fleming,	McGinnis,	Shafer,	Yatron,
Haluska,	McMenamin,	Silvert,	Ware, III,
Hawbaker,	Miller,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

HB 1353 and 1367—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

BILL ON THIRD READING AND FINAL PASSAGE

HB 1447 (Pr. No. 2170)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Proper,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarrafi,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Weiner,
Flack,	McCreesh,	Seyler,	Wolfe,
Fleming,	McGinnis,	Shafer,	Yatron,
Haluska,	McMenamin,	Silver,	Ware, III,
Hawbaker,	Miller,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

REPORT FROM COMMITTEE

Mr. SHAFER, by unanimous consent, from the Committee on State Government, reported as committed, **HB 1769**.

RECESS

Mr. LANE. Mr. President, I request a fifteen minute recess of the Senate for the purpose of holding a Democratic Caucus, to be held in the Democratic Caucus Room on the first floor.

Mr. BERGER. Mr. President, I also request that the Republican Senators assemble for a similar purpose, in their Caucus Room on the fourth floor.

The PRESIDING OFFICER. Are there any objections? The Chair hears no objection, and declares a fifteen minute recess of the Senate.

AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed, the Senate will be in order.

SECOND READING CALENDAR

BILLS OVER IN ORDER

SB 23 and **HB 53**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

BILL ON SECOND READING

HB 155 (Pr. No. 155)—Read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILLS OVER IN ORDER

SB 198 and **HB 257**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

BILL ON SECOND READING

SB 323 (Pr. No. 340)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

SB 353, **HB 371** and **SB 375**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

HB 395 and **SB 418**—Without objection, the bills were passed over in their order at the request of Mr. LANE.

SB 473, **477**, **536**, **598**, **611**, **613** and **644**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

SB 672 and **692**—Without objection, the bills were passed over in their order at the request of Mr. LANE.

SB 715 and **741**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

BILL ON SECOND READING

SB 747 (Pr. No. 1008)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

HB 754 and **755**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

SB 773—Without objection, the bill was passed over in its order at the request of Mr. LANE.

BILLS ON SECOND READING

SB 776 (Pr. No. 930) and **SB 796 (Pr. No. 961)**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

HB 853 (Pr. No. 2348)—The first section was read.

On the question,

Will the Senate agree to the section?

Mr. STEVENSON offered the following amendments:

Amend Sec. 1 (Sec. 703), page 2, line 12, by striking out the brackets before and after "and."

Amend Sec. 1 (Sec. 703), page 2, line 12, by inserting brackets before and after "twelve" and inserting immediately thereafter: eighteen

Amend Sec. 1 (Sec. 703), page 2, line 14, by striking out "but less than thirty thousand and."

Amend Sec. 1 (Sec. 703), page 2, line 14 to 17, by striking out "THEY SHALL" in line 14, all of lines 15 and 16, and "having a population of thirty thousand or more" in line 17.

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. STEVENSON.

BILLS OVER IN ORDER

HB 1025, **1075**, **1085**, **1098**, **1099**, **1101**, **1105**, **1140**, **1163**, **1174**, **1178**, **1190**, **1394**, **1402** and **1414**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

BILL ON SECOND READING

HB 1451 (Pr. No. 2171)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

HB 1452, **1453**, **1454**, **1455**, and **1456**—Without objection, the bills were passed over in their order at the request of Mr. LANE.

HB 1496—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILL ON SECOND READING

HB 1504 (Pr. No. 1852)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

HB 1515 and **1551**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

BILLS INTRODUCED AND REFERRED

Messrs. MULLIN and DONOLOW, by unanimous consent, presented to the Chair **SB 826**, entitled:

An Act prohibiting the expression by the Judge, before the jury or any juror in a criminal proceeding, of his belief, opinion or thought concerning the guilt or innocence of any defendant in such proceeding.

Which was committed to the Committee on Judiciary General.

Messrs. SEYLER and WEINER, by unanimous consent, presented to the Chair **SB 827**, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," creating a State Commission on Scholarships; providing for its membership, powers and duties; and imposing duties upon the Superintendent of Public Instruction.

Which was committed to the Committee on Education.

They also, by unanimous consent, presented to the Chair **SB 828**, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," creating a State Commission on Academic Facilities; providing for its membership, powers and duties; and imposing duties upon the Superintendent of Public Instruction.

Which was committed to the Committee on Education.

Messrs. STAISEY and MULLIN, by unanimous consent, presented to the Chair **SB 829**, entitled:

An Act amending the act of June 3, 1937 (P. L. 1225), entitled "The Game Law," further regulating the leasing of State game land for oil and gas development and the powers of the commission in relation thereto.

Which was committed to the Committee on Forests and Waters, Game and Fish.

Messrs. HAYS and WAGNER, by unanimous consent, presented to the Chair **SB 830**, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing for laboratory schools of State-owned colleges, and providing for payments in connection therewith.

Which was committed to the Committee on Education.

RECONSIDERATION OF SB 747

Mr. LANE. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 747, Printer's No. 1008, passed second reading at today's Session.

The PRESIDING OFFICER. How did the Senator vote? Mr. LANE. Mr. President, I voted with the prevailing side.

Mr. HAYS. Mr. President, I second the motion.

The PRESIDING OFFICER. How did the Senator vote?

Mr. HAYS. Mr. President, I voted with the prevailing side.

The motion was agreed to.

Mr. LANE. Mr. President, I desire to offer the following amendments to this bill.

The PRESIDING OFFICER. The Clerk will read the amendments.

The amendments were read by the Clerk as follows:

Amend Sec. 1, page 2, line 15, by striking out "five" where it appears the second time, and inserting: six.

Amend Sec. 1, page 3, line 9, by striking out "five" and inserting: six.

Amend Sec. 1, page 4, line 2, by striking out "five" and inserting: six.

Amend Sec. 1, page 4, line 9, by striking out "five" where it appears the second time, and inserting: six.

They were agreed to.

The section was agreed to as amended.

The second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh and twelfth sections and title were read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

Without objection, the bill, as amended, was passed over in its order at the request of Mr. LANE.

BILLS ON FIRST READING

Mr. LANE. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. MCGINNIS. Mr. President, I second the motion.

The motion was agreed to.

The bills were as follows:

SB 8, 196, 396, 603, 628, 662, 708, 805, 811, HB 360, 573, 735, 948, 1450 and 1769.

And said bills having been read at length for the first time,

Ordered, To be laid aside for second reading.

Mr. LANE. Mr. President, may we be at ease a few moments?

The PRESIDING OFFICER. The Senate will be at ease. (The Senate was at ease.)

ANNOUNCEMENTS BY THE SECRETARY

The following announcements were read by the Secretary of the Senate:

THURSDAY, JULY 6, 1961

DEMOCRATIC CAUCUS1:00 P. M., D.S.T.
REPUBLICAN CAUCUS1:00 P. M., D.S.T.

NOTICE

THURSDAY, JULY 6, 1961

The Committee on Local Government will hold a Public Hearing on Thursday, July 6, 1961, at 2:00 p. m., Daylight Saving Time in the Democratic Caucus Room on House Bill 1221 and 1438.

FRIDAY, JULY 7, 1961

Eastern Daylight
Saving Time
10:00 A. M.

COMMITTEE
HIGHWAYS

ROOM
542

ADJOURNMENT

Mr. LANE. Mr. President, I move that the Senate do now adjourn until Thursday, July 6, 1961, at 1:00 p.m., Eastern Standard Time.

Mr. McGINNIS. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 2:36 p.m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

WEDNESDAY, June 28, 1961.

The House met at 10 a.m., e.s.t.

The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

The Chaplain, Reverend David R. Hoover, offered the the following prayer:

O God, our gracious Father in heaven, we look to Thee in this hour thanking Thee for Thy providential care and everlasting love which Thou dost so graciously show to us. Continue to watch over and care for us as humble servants of Thine, and grant to us Thy everlasting and abiding peace. Inspire in us the truths of Thy Word and enlighten us with the knowledge of Thy will and way, so that whatever we do may be to Thy honor and glory; through Jesus Christ, our Lord. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Tuesday, June 27, 1961, will be postponed until printed.

The Chair hears none.

BILLS INTRODUCED AND REFERRED

By Mr. BRETH. HOUSE BILL No. 1809.

The Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), creating a Bureau of Economic Promotion in the Department of Commerce, and defining its powers and duties; providing for the testing, endorsement and advertising of products by such bureau.

Referred to the Committee on State Government.

By Messrs. RUDISILL, IRVIS, CLARKE,
and CAULEY. HOUSE BILL No. 1810.

An Act amending the act of June 19, 1911 (P. L. 1055), entitled "An act authorizing the release on probation of certain convicts, instead of imposing sentences; * * *" by further regulating the manner of sentencing of convicts in certain cases.

Referred to the Committee on Rules.

By Messrs. HAMILTON, KORNICK, WILLAREDT,
STIMMEL, McNALLY, HANKINS, GAILEY, LAMB
and MILLS. HOUSE BILL No. 1811.

An Act providing for the regulation of credit life insurance and credit accident and health insurance; conferring powers and imposing duties on the Insurance Commissioner and prescribing penalties.

Referred to the Committee on Insurance.

By Messrs. BUCHANAN, VARNER, DENNISON
and GIBB. HOUSE BILL No. 1812.

An Act amending the "Selective Sales and Use Tax Act," approved March 6, 1956 (P. L. 1228), removing the tax on tangible personal property purchased for or used in manufacturing and coal mining.

Referred to the Committee on Ways and Means.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 214.

An Act amending the act of June 29, 1953 (P. L. 304), entitled "Vital Statistics Law of 1953" further providing for the registration of children born in countries other than the United States and the registration of foreign born children adopted in Pennsylvania.

Referred to the Committee on Public Health and Sanitation.

SENATE BILL No. 230.

An Act authorizing the Department of Highways with the approval of the Governor to erect and maintain a bridge over the Ohio River in Beaver County and to provide the necessary approaches and connections with State highways and empowering counties to pay certain damages.

Referred to the Committee on Rules.

SENATE BILL No. 568.

An Act amending the act of June 4, 1937 (P. L. 1643), entitled "An act relating to certain existing beneficial societies . . ." further regulating contracts and payments of death benefits and providing for annual filing of certificates regarding surplus requirements.

Referred to the Committee on Insurance.

SENATE BILL No. 633.

An Act making an appropriation to the Department of Public Instruction for the purpose of rendering certain library service to the blind.

Referred to the Committee on Appropriations.

SENATE BILL No. 731.

An Act making an appropriation to Western Pennsylvania School for Blind Children in Pittsburgh.

Referred to the Committee on Appropriations.

SENATE BILL No. 732.

An Act making an appropriation to Western Pennsylvania School for the Deaf in Edgewood, Pittsburgh.

Referred to the Committee on Appropriations.

SENATE BILL No. 733.

An Act making an appropriation to The Pennsylvania School for the Deaf in Philadelphia.

Referred to the Committee on Appropriations.

SENATE BILL No. 751.

An Act amending the act of April 18, 1929 (P. L. 612), entitled "An act for the election of the president members of Town council and auditors in incorporated towns of the Commonwealth . . ." redesigning the president of the town council as the mayor.

Referred to the Committee on Rules.

SENATE BILL No. 780.

An Act amending the act of May 16, 1919 (P. L. 193), entitled "An act to provide for the licensing and regula-

tion of public dance halls and ball rooms . . ." increasing license fees in cities of the second class and changing penalties.

Referred to the Committee on Cities—Counties Second and Second Class A.

SENATE BILL No. 788.

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929" authorizing the Department of Health to institute a blood plasma protein recovery program.

Referred to the Committee on Public Health and Sanitation.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 445.

An Act amending the act of June 4, 1943 (P. L. 883), entitled "An act authorizing and directing the Department of Highways to erect * * * a toll bridge over the Allegheny River between a point in or near the Borough of Tarentum Allegheny County and a point in Westmoreland County and to provide the necessary approaches and connections with State highways * * *" making the bridge a free bridge * * * and making an appropriation.

HOUSE BILL No. 455.

An Act amending the act of September 29, 1951 (P. L. 1646), entitled "An act authorizing the Commonwealth to negotiate temporary emergency loans to defray current and other expenses of the State government during any fiscal biennium evidenced by tax anticipation notes * * *" authorizing powers conferred by the act to be done on a fiscal period basis and changing the amount of money which may be borrowed and providing two additional methods of borrowing money.

HOUSE BILL No. 1213.

An Act amending the "Minor Judiciary Fee Bill" approved January 7, 1952 (P. L. 1841), fixing a fee for issuing search warrants.

HOUSE BILL No. 1344.

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333), regulating the furnishing of public property for use as polling places.

HOUSE BILL No. 1460.

An Act authorizing the judge of the court of common pleas of any county of the third fourth, fifth, sixth, seventh or eighth class to direct that recorded maps, plats or plans be reproduced requiring the recorder of deeds to preserve originals of maps, plats or plans so reproduced and providing for payment of costs by the county.

HOUSE BILL No. 1468.

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), enlarging the Coal Research Board's sphere of study and research.

With the information that the Senate has passed the same without amendment.

SENATE MESSAGE

The clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Amended House bills returned for concurrence Nos. 58, 59, 1293 and 1407.

REPORTS FROM COMMITTEES

Mr. WILLAREDT from the Committee on Appropriations, reported as amended, House bill No. 1008, entitled:

An Act amending the "State Employees Retirement Code of 1959," approved June 1, 1959 (P. L. 392), authorizing annuitants to work sixty days per year without loss of benefits under certain circumstances.

Mr. STECKEL from the Committee on Judiciary, reported as amended, Senate bill No. 472, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code," requiring a copy of the application to be sent to the police or the sheriff where the seller's place of business is located and where the buyer resides.

Mr. LUTTY from the Committee on State Government, reported as amended, Senate bill No. 525, entitled:

An Act authorizing members of any profession to organize an association to render the type of service which the members are authorized to render providing for the regulation of the association and its members and employees and imposing powers and duties on the association and its members.

Mr. CURWOOD from the Committee on Highways, reported as committed, House bill No. 108, entitled:

An Act permitting certain ambulances, fire apparatus, rescue vehicles and other emergency vehicles to pass over turnpikes, toll roads and toll bridges without paying tolls; providing for reimbursement by the Commonwealth in lieu of such tolls; imposing duties upon the Secretary of Highways and providing penalties.

Mr. RENWICK from the Committee on Townships, reported as committed, House bill No. 729, entitled:

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), providing that no annexation of a portion of a township shall be final or complete until payment has been made or agreement entered into for payment of certain costs by a city or borough.

Mr. TRUSIO from the Committee on Townships, reported as committed, House bill No. 738, entitled:

An Act providing that no township of the second class or any part thereof shall be annexed by any city, borough or township without the consent of the electors of the entire township, and prescribing the manner of commencing annexation proceedings.

Mr. O'DELL from the Committee on Motor Vehicles, reported as committed, House bill No. 1114, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), removing the authority of the secretary to suspend the operator's license or learner's permit of a person for conviction in another state if such conviction was obtained by use of radiomicrowave equipment prior to the authorization by law for the use of such equipment for timing speed in this Commonwealth.

Mr. KAMYK from the Committee on Welfare, reported as committed, House bill No. 1240, entitled:

An Act amending the "Public Assistance Law," approved June 24, 1937 (P. L. 2051), providing for eligibility for assistance in the case of aliens.

Mr. JIM from the Committee on Townships, reported as committed, House bill No. 1505, entitled:

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), further regulating the time for preparation of the proposed budget.

Mr. KORN from the Committee on Townships, reported as committed, House bill No. 1611, entitled:

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), providing for the appointment of alternate members to the board of adjustment.

Mr. RENWICK from the Committee on Motor Vehicles, reported as committed, House bill No. 1744, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), requiring certain vehicles and combinations of vehicles equipped with air brakes to be equipped with emergency brakes.

Mr. LEONARD from the Committee on Welfare, reported as committed, House bill No. 1803, entitled:

An Act relating to charitable organizations, requiring the registration of such organizations and regulating the solicitation of moneys and property by or on behalf of charitable organizations.

Mr. FOOR from the Committee on Law and Order, reported as committed, Senate bill No. 508, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code," further defining disorderly conduct in order to protect passengers lawfully occupying any railroad or railway passenger station or platform.

Mr. HANKINS from the Committee on Law and Order, reported as committed, Senate bill No. 509, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code," prohibiting the use of railroad passenger station facilities by loiterers.

Mr. MERRY from the Committee on Highways, reported as committed, Senate bill No. 541, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," authorizing the Secretary of Highways to erect accurate mile courses and designations along State highways.

Mr. UJOBAL from the Committee on Law and Order, reported as committed, Senate bill No. 735, entitled:

An Act amending the act of December 22, 1951 (P. L. 1726), entitled "Pennsylvania Loyalty Act," excluding from the provisions of the act certain teachers who are citizens or subjects of foreign countries.

Mr. WILLAREDT from the Committee on Appropriations, re-reported as committed, House bill No. 749, entitled:

An Act amending the "Korean Conflict Veterans' Compensation Act," approved July 8, 1957 (P. L. 569), defining "veteran" so as to include career servicemen.

Mr. WILLAREDT from the Committee on Appropriations, re-reported as amended, House bill No. 1248, entitled:

An Act amending "The Administrative Code of 1929," (P. L. 177), changing the provisions relating to leaves for certain State employees.

Mr. WILLAREDT from the Committee on Appropriations, re-reported as committed, House bill No. 1549, entitled:

An Act amending "The Military Code of 1949," approved May 27, 1949 (P. L. 1903), discontinuing restricted use of funds realized from sale of armories and providing for expenditure of remaining balance in such restricted funds.

Mr. WILLAREDT from the Committee on Appropriations, re-reported as committed, House bill No. 1622, entitled:

An Act amending "The Pennsylvania Workmen's Compensation Act," approved June 2, 1915 (P. L. 736), changing provisions relating to liability of employers and benefits and persons entitled thereto regulating practice and procedure changing subrogation rights providing for attendance of witnesses requiring payments into the Second Injury Reserve and Rehabilitation Fund.

Mr. WILLAREDT from the Committee on Appropriations, re-reported as committed, House bill No. 156, entitled:

An Act amending the "Municipal Employees' Retirement Law," approved June 4, 1943 (P. L. 886), including officers and employees of certain associations within the act.

Mr. WILLAREDT from the Committee on Appropriations, re-reported as committed, House bill No. 1621, entitled:

An Act amending the "Vocational Rehabilitation Act of one thousand nine hundred forty-five," approved May 22, 1945 (P. L. 849), authorizing certain persons injured by accidents incurred in the course of their employment or disabled by occupational disease.

Mr. WILLAREDT from the Committee on Appropriations, re-reported as committed, House bill No. 1638, entitled:

An Act amending "The Pennsylvania Occupational Disease Act," approved June 21, 1939 (P. L. 566), changing provisions relating to liability of employers and benefits and persons entitled thereto regulating practice and procedure changing subrogation rights providing for attendance of witnesses and generally clarifying and changing the provisions of the act.

Mr. WILLAREDT from the Committee on Appropriations, re-reported as committed, Senate bill No. 197, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing for special and summer classes for children of migrant laborers requiring the filing of certain reports and making an appropriation.

Mr. CIOFFI from the Committee on Highways, reported as amended, Senate bill No. 592, entitled:

An Act amending the act of June 1, 1945 (P. L. 1242), entitled: "State Highway Law," providing for payment by the Commonwealth of damages occasioned by a change of width lines or grades of streets designated as State highways in cities of the second class second class A and third class.

Mr. YETTER from the Committee on Highways, reported as committed, House bill No. 1343, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), further regulating the imposition of penalties for operation of vehicles upon highways with tires which do not conform with requirements of the act.

Mr. STIMMEL from the Committee on State Government, re-reported as committed, Senate bill No. 180, entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code," authorizing occupation taxes to be abolished and per capita taxes to be levied and collected and limiting the levy and collection of certain taxes.

Mr. STIMMEL from the Committee on State Government, reported as committed, Senate bill No. 181, entitled:

An Act amending the act of June 24, 1927 (P. L. 2017), entitled "County Institution District Law," authorizing the assessment and collection of annual per capita taxes on individuals limiting the levy and collection of such taxes and taxes on trades occupations and professions and authorizing taxes on trades occupations and professions to be abolished.

Mr. RENWICK from the Committee on State Government, reported as committed, Senate bill No. 479, entitled:

An Act amending the act of June 25, 1941 (P. L. 159), entitled "Municipal Borrowing Law," regulating the payment sale price and interest of non-debt revenue bonds.

Mr. WILLAREDT from the Committee on appropriations, re-reported as amended, Senate bill No. 693, entitled:

An Act making an appropriation to the committee appointed by the General Assembly to examine the issue of the abolition of capital punishment in Pennsylvania.

Mr. PRICE from the Committee on State Government, reported as committed, Senate bill No. 701, entitled:

An Act amending the act of July 7, 1947 (P. L. 1368), entitled "Real Estate Tax Sale Law," further regulating notice given to delinquent taxables.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 108, entitled:

An Act permitting certain ambulances, fire apparatus, rescue vehicles and other emergency vehicles to pass over turnpikes, toll roads and toll bridges without paying tolls; providing for reimbursement by the Commonwealth in lieu of such tolls; imposing duties upon the Secretary of Highways and providing penalties.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 729, entitled:

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), providing that no annexation of a portion of a township shall be final or complete until payment has been made or agreement entered into for payment of certain costs by a city or borough.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 738, entitled:

An Act providing that no township of the second class or any part thereof shall be annexed by any city, borough or township without the consent of the electors of the entire township, and prescribing the manner of commencing annexation proceedings.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1114, entitled:

An Act amending "The Vehicle Code," approved April

29, 1959 (P. L. 58), removing the authority of the secretary to suspend the operator's license or learner's permit of a person for conviction in another state if such conviction was obtained by use of radiomicrowave equipment prior to the authorization by law for the use of such equipment for timing speed in this Commonwealth

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1240, entitled:

An Act amending the "Public Assistance Law," approved June 24, 1937 (P. L. 2051), providing for eligibility for assistance in the case of aliens.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1505, entitled:

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), further regulating the time for preparation of the proposed budget.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1611, entitled:

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), providing for the appointment of alternate members to the board of adjustment.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1744, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), requiring certain vehicles and combinations of vehicles equipped with air brakes to be equipped with emergency brakes.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1803, entitled:

An Act, relating to charitable organizations, requiring the registration of such organizations and regulating the solicitation of moneys and property by or on behalf of charitable organizations.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 508, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code" further defining disorderly conduct in order to protect passengers lawfully occupying any railroad or railway passenger station or platform.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 509, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code" prohibiting the use of railroad passenger station facilities by loiterers.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 541, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" authorizing the Secretary of Highways to erect accurate mile courses and designations along State highways.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 735, entitled:

An Act amending the act of December 22, 1951 (P. L. 1726), entitled "Pennsylvania Loyalty Act" excluding from the provisions of the act certain teachers who are citizens or subjects of foreign countries.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1343, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), further regulating the imposition of penalties for operation of vehicles upon highways with tires which do not conform with requirements of the act.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 181, entitled:

An Act amending the act of June 24, 1937 (P. L. 2017), entitled "County Institution District Law" authorizing the assessment and collection of annual per capita taxes on individuals limiting the levy and collection of such taxes and taxes on trades occupations and professions and authorizing taxes on trades occupations and professions to be abolished.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 479, entitled:

An Act amending the act of June 25, 1941 (P. L. 159), entitled "Municipal Borrowing Law" regulating the payment sale price and interest of non-debt revenue bonds.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 701, entitled:

An Act amending the act of July 7, 1947 (P. L. 1368),

entitled "Real Estate Tax Sale Law" further regulating notice given to delinquent taxables.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. FINEMAN asked and obtained permission for the Committee on State Government to meet during the session of the House.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1001, entitled:

An Act amending "The Realty Transfer Tax Act" approved December 27, 1951 (P. L. 1742), redefining documents so as to exclude certain transfers from industrial development agencies.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1003, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), imposing powers and duties on the Department of Forests and Waters relative to parks established by political subdivisions.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 204, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to acquire the Wolf Academy in East Allen Township Northampton County providing for its restoration improvement future care and maintenance as an historical site and making an appropriation.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 260, entitled:

An Act amending the act of July 20, 1917 (P. L. 1158), entitled "An act to fix regulate and establish the fees to be charged and received by constables in this Commonwealth" increasing the fees in certain cases.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1206, entitled:

An Act amending "The Administrative Code of 1929"

approved April 9, 1929 (P. L. 177), providing that enlisted members of the Pennsylvania State Police shall not be dismissed from service or reduced in rank except by action of a court martial board held upon the recommendation of the Commissioner and the Governor.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1207, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), regulating the dismissal suspension demotion and reenlistment of enlisted members of the Pennsylvania State Police.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1421, entitled:

An Act amending "The Permanent Registration Act for Cities of the Second Class Cities of the Second Class A Cities of the Third Class Boroughs Towns and Townships" approved April 29, 1937 (P. L. 487), further regulating printed or written statements of registration imposing duties on common pleas courts with regard to registration providing for suspension of registration in counties maintaining a reinstatement system.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1422, entitled:

An Act providing for the establishment of pension funds or pension annuities for firemen in certain boroughs towns and townships and the regulation and maintenance thereof * * *.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1484, entitled:

An Act amending the act of May 22, 1933 (P. L. 851), entitled "An act fixing the pay and mileage of jurors and witnesses" clarifying the mileage reimbursement to jurors.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1494, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey .0806 acres of land more or less situate in the city of Bethlehem Northampton County.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order

The House proceeded to the second reading and consideration of House bill No. 1495, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey .096 acres of land more or less situate in the city of Bethlehem Northampton County.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1668, entitled:

An Act amending the "Vital Statistics Law of 1953" approved June 29, 1953 (P. L. 304), requiring reports of deaths to be made to County Registration Commissions.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1697, entitled:

An Act amending "The County Code" approved August 9, 1955 (P. L. 323), authorizing the creation of county historical commissions to promote places of historical interest within the county.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1790, entitled:

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333), providing for the use of different colored ballots and machine labels so as to distinguish political parties in primary elections.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 76, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929" increasing the maximum number of officers and men in the aggregate in the Pennsylvania State Police and making editorial changes.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 222, entitled:

An Act amending the act of April 24, 1947 (P. L. 100), entitled "Estates Act of 1947" defining conveyance.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 380, entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code" providing that title to property by eminent domain may be vested in certain counties upon filing of a bond.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 462, entitled:

An Act amending the act of September 8, 1959 (P. L. 846), entitled "An act providing for the destruction of certain records and papers upon petition in counties of the third and fourth classes" removing the requirement of reproduction in counties of the third class.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 686, entitled:

An Act relating to atomic energy defining powers and duties of State departments offices boards commissions and of political subdivisions in connection therewith creating the Office of Atomic Development and prescribing its powers and duties.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 757, entitled:

An Act amending the act of July 7, 1947 (P. L. 1368), entitled "Real Estate Tax Sale Law" requiring taxes levied for the current year to be included in the upset price at the sale of any property upon a claim absolute.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Mr. McCANN. Mr. Speaker, I will call up a bill on page 7 for the purpose of amendment. I will call up bill on final passage, Senate bill 239. The gentleman from Westmoreland, Mr. Jim, has amendments to offer to the bill.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of Senate bill No. 239, entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code" authorizing the closing of court houses and other county offices on Saturdays in counties of the third class.

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote which this bill passed third reading be reconsidered.

Mr. DOUGHERTY. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. JIM asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the clerk for information.

Amend Title, page 1, fourth line of Title, by striking out "DIRECTING" and inserting: authorizing.

Amend Sec. 1 (Sec. 2301.1), page 2, line 5, by striking out "SHALL" and inserting: may.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

RECONSIDERATION OF VOTE ON HOUSE BILL NO. 527

Mr. RENWICK. Mr. Speaker, I move that the vote by which House bill No. 527, printer's No. 2354, entitled:

"An Act amending the 'Liquor Code', approved April 12, 1951 (P. L. 90), providing for the exchange of existing retail dispenser's licenses for liquor licenses despite the limitations of the quota provisions of this act and establishing procedure therefor." was defeated on final passage Tuesday, June 27, 1961, be reconsidered.

Mr. FARABAUGH. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Elk, Mr. Renwick, vote on the final passage of this bill?

Mr. RENWICK. Mr. Speaker, I voted with the prevailing side.

The SPEAKER. How did the gentleman from Cambria, Mr. Farabaugh, vote on the final passage of this bill?

Mr. FARABAUGH. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED

Mr. RENWICK. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 670, entitled:

A Supplement to "The Pennsylvania Workmen's Compensation Act" approved June 2, 1915 (P. L. 736), providing for the payment of compensation to special school police appointed by boroughs or the dependents of such special school police.

On the question,

Will the House agree to the bill on third reading?

Mr. FILO asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the clerk for information.

Amend Title, page 1, next to last line of Title, by striking out "boroughs" and inserting: municipalities and townships.

Amend Sec. 1, page 2, line 6, by striking out "boroughs" and inserting: municipalities and townships.

Amend Sec. 1, page 2, line 7, by striking out "borough" and inserting: municipality or township.

Amend Sec. 1, page 2, line 9, by striking out "in the duties of such special school police" and inserting: as policemen or while going to or returning from their place of duty or while participating in instruction or while answering any emergency call for any purpose or while performing any other duty authorized by the municipality or township.

Amend Sec. 1, page 2, line 10, by striking out "borough" and inserting: municipality or township.

Amend Sec. 1, page 3, line 6, by striking out "borough" and inserting: municipality or township.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1418, entitled:

An Act prohibiting discrimination against insurers in certain cases authorizing relief in equity and prescribing penalties.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. SCHAAF. Mr. Speaker, I move that this bill be recommitted to the Committee on Insurance for the purpose of further study and possible amendment.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1419, entitled:

An Act amending "The Insurance Department Act of one thousand nine hundred and twenty-one" approved May 17, 1921 (P. L. 789), prescribing additional causes for revocation of licenses.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. HAMILTON. Mr. Speaker, I move that this bill be recommitted to the Committee on Insurance for the purpose of further study and possible amendment.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 219, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), restricting speed in areas near playgrounds and providing penalties.

On the question,

Will the House agree to the bill on third reading?

Mr. FRASCELLA asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the clerk for information.

Amend Title, page 1, next to last line of Title, by inserting after "playgrounds" except in cities of the first and second class

Amend Sec. 1 (Sec. 1002), page 2, line 13, by inserting after "use" except in cities of the first and second class.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the minority leader.

Mr. A. W. JOHNSON. Mr. Speaker, would Mr. Frascella please explain these amendments. I cannot seem to find a copy of them.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Frascella, who is asked to explain the amendments.

Mr. FRASCELLA. Mr. Speaker, all these amendments do is to exclude cities of the first and second class from the bill.

Mr. Tompkins has just received a copy of the amendments.

On the question recurring,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1597, entitled:

An Act amending "The Insurance Company Law of 1921" approved May 17, 1921 (P. L. 682), clarifying the provisions relating to the merger or consolidation of certain domestic insurance companies and making editorial changes.

On the question,

Will the House agree to the bill on third reading?

Mr. HAMILTON asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the clerk for information.

Amend Sec. 2 (Sec. 333), page 4, line 4, by striking out "of" and inserting: or

Amend Sec. 2 (Sec. 333), page 4, line 5, by inserting brackets before and after "first"

The SPEAKER. Will the House give unanimous consent

to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1656, entitled:

A Supplement to the act of April 29, 1874 (P. L. 73), entitled "An act to provide for the incorporation and regulation of certain corporations" authorizing the incorporation of pipeline companies for the transportation and storage or distribution furnishing or supplying of a fluid substance known as coal slurry * * *.

On the question,

Will the House agree to the bill on third reading?

Mr. McCANN asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the clerk for information.

Amend Title, page 1, fourth line of Title, by striking out "furnishing or supplying"

Amend Title, page 1, sixth line of Title, by striking out "furnishing or supplying"

Amend Title, page 2, first and second lines of Title, by striking out "pipeline to or"

Amend Title, page 2, second and third lines of Title, by striking out "or to public utilities for conversion into electric energy to serve the public"

Amend Sec. 1, page 2, lines 3 and 4, by striking out "furnishing or supplying"

Amend Sec. 1, page 2, lines 4 to 7, by striking out "and whereas" in line 4, all of lines 5 and 6 and "to the great benefit of the citizens of Pennsylvania" in line 7

Amend Sec. 1, page 2, line 8, by striking out "furnishing or supplying"

Amend Sec. 1, page 2, lines 10 and 11, by striking out "furnishing or supplying"

Amend Sec. 1, page 2, line 11, by striking out "pipeline to or"

Amend Sec. 1, page 3, lines 1 and 2, by striking out "or to public utilities for conversion into electric energy to serve the public"

Amend Sec. 2, page 3, line 7 and 8, by striking out "furnishing and supplying"

Amend Sec. 3, page 4, lines 13 and 14, by striking out "furnishing or supplying"

Amend Sec. 3, page 4, line 14, by striking out "pipeline"

Amend Sec. 3, page 4, line 16, by striking out "to or"

Amend Sec. 3, page 4, lines 17 and 18, by striking out all of line 17 and "public" in line 18

Amend Sec. 4, page 6, lines 2 and 3, by striking out "furnishing or supplying"

Amend Sec. 6, page 6, lines 13 and 14, by striking out "furnishing or supplying"

Amend Sec. 7, page 6, line 18, by striking out "furnishing or supplying"

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

NORTHEASTERN SCHOOL DISTRICT WELCOMED

The SPEAKER. The Chair notes the presence in the gallery of a delegation of school children from the Northeastern School District of York County and their teacher, Mrs. Elfreda Herbst. They are the guests of the gentleman from York, Mr. Gross.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 312, entitled:

An Act amending the act of July 24, 1913 (P. L. 965), entitled "Commodities Weight and Measure Law" requiring additional markings on certain packages.

On the question,

Will the House agree to the bill on third reading?

Mr. SELTZER asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the clerk for information.

Amend Title, page 1, last line of Title, by inserting after "packages" and exempting packaged meat products subject to natural shrinkage from the requirement of net quantity being marked thereon.

Amend Sec. 1 (Sec. 7), page 2, by inserting between lines 17 and 18:

(c) All packaged meat products subject to natural shrinkage.

Amend Sec. 1 (Sec. 7), page 3, line 1, by inserting after "products" where it appears the second time: when sold at retail

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILL ON FINAL PASSAGE POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on final passage of House bill No. 1709, entitled:

An Act making an appropriation to the Department of Public Welfare for the maintenance of certain hospitals.

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. POLEN. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. POLEN asked unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the clerk for information.

Amend Sec. 1, page 2, lines 14 to 17, by striking out "no payment shall be made from this appropriation" in line 14, all of lines 15 to 17, and inserting: on and after the date on which medical assistance for the aged becomes effective under the Public Assistance Law, no payment shall be made from this appropriation for services rendered to persons aged sixty-five (65) or over by any hospital hereinafter designated that is qualified to receive payments for medical assistance for the aged.

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 796, entitled:

An Act making an appropriation to the Department of Public Welfare to reimburse State-aided hospitals and the Philadelphia General Hospital for part of the cost to training nurses in approved schools of nursing and making a deficiency appropriation for the same purpose.

On the question,

Will the House agree to the bill on third reading?

Mr. POLEN asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the clerk for information.

Amend Sec. 1, page 2, line 7, by inserting after "nursing" at the rate of two hundred dollars (\$200) per annum

Amend Sec. 1, page 2, line 8, by inserting after "similar" reimbursement

Amend Sec. 1, page 2, line 9, by striking out "being"

Amend Sec. 1, page 2, line 9, by striking out "required" and inserting during the fiscal period June 1, 1959 to May 31, 1961 which payments could not be made

Amend Sec. 1, page 2, line 12, by striking out "a rate" and inserting rates

Amend Sec. 1, page 2, line 14, by striking out "two hundred dollars (\$200)" and inserting the respective rates herein stated

Amend Sec. 3, page 3, line 1, by striking out "sixty" and inserting ninety

Amend Sec. 3, page 3, line 3, by striking out "SIXTY" and inserting ninety

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to

Ordered, that the bill as amended lie over for printing.

Mr. HELM IN THE CHAIR

RECONSIDERATION OF VOTE ON HOUSE BILL NO. 1106

Mr. EILBERG. Mr. Speaker, I move that the vote by which House bill No. 1106, printer's No. 2012, entitled "An act amending the act of June 3, 1937 (P. L. 1333), entitled 'An act concerning elections, including general municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections,' further regulating the form of the official primary ballot," was defeated on final passage on Tuesday, June 27, 1961, be reconsidered.

Mr. PETROSKY. Mr. Speaker, I second the motion.

The SPEAKER pro tempore. How did the gentleman from Philadelphia, Mr. Eilberg, vote on the final passage of this bill?

Mr. EILBERG. Mr. Speaker, I voted with the prevailing side.

The SPEAKER pro tempore. How did the gentleman from Westmoreland, Mr. Petrosky, vote on the final passage of this bill?

Mr. PETROSKY. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED

Mr. McCANN. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 254

An Act amending the act of June 2, 1915 (P. L. 736), entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" requiring employers to furnish employees with instructions on the rights in the event of an accident and requiring the Secretary of Labor and Industry to supply such instructions to employers.

With the information that the Senate had passed the

same with amendments in which the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The clerk will read the amendments.

The clerk read the amendments as follows:

Amend Title, page one, last line, by inserting after the word "accident" the following: "and requiring the Secretary of Labor and Industry to supply such instructions to employers;" Section 1, page 2, line 5, by striking out after the word and figure "Section 304.1" the following:

Every employer liable under this act to pay compensation shall at the time of hiring any employe furnish such employe with a brochure of instructions in such form as the department may prescribe setting forth the rights of such employe in the event of an accident and informing him of the time and manner in which claims should be filed. Such employers shall furnish said instructions to existing employes within ninety days after the effective date of this amendatory act and inserting in lieu thereof the following:

The Secretary of Labor and Industry shall within ninety (90) days after the effective date of this amendatory act furnish every employer liable under this act to pay compensation with copies of a brochure of instructions setting forth the rights of an employe in the event of an accident and informing him of the time and manner in which claims should be filed. Such employers shall furnish a copy of said brochure to each employe at the time of hiring and to each existing employe within thirty (30) days after the receipt of the brochures from the Secretary of Labor and Industry.

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

On the question,

Will the House agree to the motion?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Cameron, Mr. Tompkins.

Mr. TOMPKINS. Mr. Speaker, I move that the House do concur in the amendments inserted by the Senate in House bill 254, printer's No. 2321, and I ask for a roll call.

Mr. McCANN. Mr. Speaker, I ask the membership on this side of the House and the entire membership of the House to vote "no" on the motion made by the gentleman from Cameron, Mr. Tompkins, in concurring in the Senate amendments to House bill 254.

On the question recurring,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—95

Adams,	Fox,	King,	Simmons,
Anderson, J. H.	Fulmer,	Kistler,	Slack,
Ashton,	George,	Knecht,	Snare,
Auker,	Gibb,	Kooker,	Steckel,
Backenstoe,	Gibbons,	Korns,	Stimmel,
Blair,	Goldstein, J. H.,	Lee, A. M.,	Stiteler,
Bossert,	Goldstein, M. H.,	Lee, K. B.,	Thompson,
Bower,	Goodrich,	Lippincott,	Tompkins,
Bowman,	Gramlich,	Magee,	Ujobal,
Buchanan,	Gross,	Manbeck,	Varner,
Bush,	Guthrie,	Markley,	Wall,
Davis,	Haudenschild,	Marsh,	Weidner,
Dengler,	Helm,	May,	Whittaker,
Dennison,	Henzel,	McCandless,	Willard,
Donaldson,	Hocker,	McInroy,	Willaredt,
Down,	Holl,	Merry,	Williams, A. D.,

Edwards,	Holiday,	Miller,	Williams, E. S.,
Elvey,	Holman,	O'Dell,	Wilt,
Eshback,	Horst,	Odorisio,	Wood,
Eshleman,	Isaacs,	Ogilvie,	Worley,
Esler,	Johnson, A. W.,	Price,	Wynd,
Ewing,	Johnson, R. P.,	Pursley,	Zember,
Fetterolf,	Kelser,	Rutherford,	Zimmerman,
Foor,	Kernaghan,	Seltzer,	

NAYS—100

Anderson, S. A.,	Frascella,	Long, Wm. Jos.,	Prendergast,
Arlene,	Fry,	Lutty,	Reibman,
Bachman	Gallagher,	Maxwell,	Reidenbach,
Boles,	Gray,	McCann,	Renwick,
Bonner,	Greenlee,	McCormack,	Riley,
Branca,	Gremminger,	McDevitt,	Rovanseck,
Breth,	Guesman,	McDonald,	Rubin,
Capano,	Hamilton,	McKeever,	Rudisill,
Capitolo,	Hankins,	McLaughlin,	Sakulsky,
Cauley,	Hartley,	McNally,	Schaaf,
Cianfrani,	Heavey,	Meholchick,	Schuster,
Cioffi,	Irvls,	Monroe,	Shelton,
Clarke,	Jenkins,	Morley,	Sherman,
Comer,	Jim,	Mullen,	Stone,
Cooley,	Jones,	Murphy,	Sullivan, J. A.,
Crossin,	Kamyk,	Murray,	Sullivan, T. F.,
Curwood,	Kelly,	Musto,	Taylor,
Dougherty,	Klein,	Needham,	Tomascik,
Doughten,	Kornick,	O'Donnell, J. P.,	Trusio,
Ellberg,	Kramer,	Parlante,	Verona,
Farabaugh,	Lamb,	Pashley,	Walsh,
Filo,	Lawson,	Perry,	Wargo,
Fineman,	Leonard,	Petrosky,	Welsh,
Flynn,	Limper,	Polaski,	Yetter,
Foerster,	Long, Wm. Jas.,	Polen,	Andrews,

Speaker

NOT VOTING—15

Galley,	Mihm,	Piper,	Stank,
Gelfand,	Mills,	Royer,	Strausser,
Heffner,	Munley,	Scarcelli,	Wescott,
Kessler,	O'Donnell, J. A.,	Shupnik,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the amendments were not concurred in.

Ordered, that the clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as as follows:

HOUSE BILL No. 255

An Act amending the act of June 21, 1939 (P. L. 566), entitled "An act defining and compensation thereunder imposing duties on the Department of Labor and Industry the Workmen's Compensation Board Workmen's Compensation Referees and deans of medical schools creating a medical board to determine controverted medical issues establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases making an appropriation and prescribing penalties" requiring employers to furnish employes with instructions on their rights in the event of disability or death caused by occupational disease and requiring the Secretary of Labor and Industry to supply such instructions to employers.

With the information that the Senate had passed the same with amendments in which the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The clerk will read the amendments.

The clerk read the amendments as follows:

Amend Title, page 2, line 8, by inserting after the word "disease" the following:

And requiring the Secretary of Labor and Industry to supply such instructions to employers

Section 1 page 2, line 4, by striking out after the word and figures "Section 304.1" the following:

Every employer liable under this act to pay compensation shall at the time of hiring any employe furnish such employe with a brochure of instructions in such form as the department may prescribe setting forth the rights of such employe in the event of disability or death caused by occupational disease and informing him of the time and manner in which claims should be filed. Such employers shall furnish said instructions to existing employes within ninety days after the effective date of this amendatory act and inserting in lieu thereof the following:

The Secretary of Labor and Industry shall within ninety (90) days after the effective date of this amendatory act furnish every employer liable under this act to pay compensation with copies of a brochure of instructions setting forth the rights of an employe in the event of disability or death caused by occupational disease and informing him of the time and manner in which claims should be filed. Such employers shall furnish a copy of said brochure to each employe at the time of hiring and each existing employe within thirty (30) days after the receipt of the brochures from the Secretary of Labor and Industry

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

Mr. TOMPKINS. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

On the question recurring,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—95

Adams,	Fox,	King,	Simmons,
Anderson, J. H.	Fulmer,	Kistler,	Slack,
Ashton,	George,	Knecht,	Snare,
Auker,	Gibb,	Kooker,	Steckel,
Backenstoe,	Gibbons,	Korns,	Stimmel,
Blair,	Goldstein, J. H.,	Lee, A. M.,	Stiteler,
Bossert,	Goldstein, M. H.,	Lee, K. B.,	Thompson,
Bower,	Goodrich,	Lippincott,	Tompkins,
Bowman,	Gramlich,	Magee,	Ujohal,
Buchanan,	Gross,	Manbeck,	Varnier,
Bush,	Guthrie,	Markley,	Wall,
Davis,	Haudenschild,	Marsh,	Weldner,
Dengler,	Heim,	May,	Whittaker,
Dennison,	Henzel,	McCandless,	Willard,
Donaldson,	Hocker,	McInroy,	Willaredt,
Down,	Holl,	Merry,	Williams, A. D.,
Edwards,	Hollday,	Miller,	Williams, E. S.,
Elvey,	Holman,	O'Dell,	Wilt,
Eshback,	Horst,	Odoriso,	Wood,
Eshleman,	Isaacs,	Ogilvie,	Worley,
Esler,	Johnson, A. W.,	Price,	Wynd,
Ewing,	Johnson, R. P.,	Pursley,	Zember,
Fetterolf,	Kelser,	Rutherford,	Zimmerman,
Foot,	Kernaghan,	Seltzer,	

NAYS—102

Anderson, S. A.,	Fry,	Maxwell,	Reibman,
Arlene,	Gallagher,	McCann,	Reldenbach,
Bachman,	Gray,	McCormack,	Renwick,
Boles,	Greenlee,	McDevitt,	Riley,
Bonner,	Gremmlinger,	McDonald,	Rovansek,
Branca,	Guesman,	McKeever,	Rubin,
Breth,	Hamilton,	McLaughlin,	Rudiall,

Capano,	Hankins,	McNally,	Sakulsky,
Capitolo,	Hartley,	Meholchick,	Schaaf,
Caulley,	Heavey,	Mills,	Schuster,
Cianfrani,	Irlis,	Monroe,	Shelton,
Cioffi,	Jenkins,	Morley,	Sherman,
Clarke,	Jim,	Mullen,	Stank,
Comer,	Jones,	Murphy,	Stone,
Cooley,	Kamyk,	Murray,	Sullivan, J. A.,
Crossin,	Kelly,	Musto,	Sullivan, T. F.,
Curwood,	Klein,	Needham,	Taylor,
Dougherty,	Kornick,	O'Donnell, J. P.,	Tomascik,
Doughten,	Kramer,	Parlante,	Trusio,
Ellberg,	Lamb,	Pashley,	Verona,
Farabaugh,	Lawson,	Perry,	Walsh,
Filo,	Leonard,	Petrosky,	Wargo,
Fineman,	Limper,	Polaski,	Welsh,
Flynn,	Long, Wm. Jas.,	Polen,	Yetter,
Foerster,	Long, Wm. Jos.,	Prendergast,	Andrews,
Frascella,	Lutty,		Speaker

NOT VOTING—13

Galley,	Mihm,	Piper,	Shupnik,
Gelfand,	Munley,	Royer,	Strausser,
Heffner,	O'Donnell, J. A.,	Scarcelli,	Wescott,
Kessler,			

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the amendments were not concurred in.

Ordered, that the clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 410.

An Act amending the act of May 4, 1927 (P. L. 519), entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" further providing for the employment of either a certified public accountant or a certified competent independent public accountant.

With the information that the Senate had passed the same with amendments in which the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The Clerk will read the amendments.

The clerk read the amendments as follows:

Amend Title, page 1, by inserting after line 3, the following: "either a certified public accountant or" and by striking out at the beginning of line 5, the word "certified" and inserting in lieu thereof the words "competent independent"; Section 1, page 2, line 7, by inserting after the word "employ" the word "either", by striking out the brackets before and after the word "certified" and inserting immediately thereafter the following: "public accountant or a competent independent;" line 9, by striking out the brackets before and after the word "certified" and by inserting line 10, as follows: "public accountant or a competent independent;" line 12, by inserting after the word "a" the following: "certified public accountant or a" and by striking out immediately thereafter the word "certified" and inserting in lieu thereof the words "competent independent;" page 3, line 3, by inserting after the word "a" the words "certified public accountant or a" and by striking out immediately thereafter the word "certified" and inserting in lieu thereof the words "competent independent;" line 10, by inserting after the word "a" the words "certified public accountant or a" and by striking out immediately thereafter the word "certified" and inserting in lieu thereof the words "competent independent;"

ent"; line 13, by inserting after the word "the" where it appears the second time the words "certified public accountant or the" and by striking out immediately thereafter the word "certified" and inserting in lieu thereof the words "competent independent"; line 17, by inserting after the word "the" where it appears the second time the words "certified public accountant or the" and by striking out immediately thereafter the word "certified" and inserting in lieu thereof the words "competent independent"; line 19, by inserting after the word "the" where it appears the second time the words "certified public accountant or the" and by striking out immediately thereafter the word "certified" and inserting in lieu thereof the words "competent independent"; page 4, line 2, by inserting after the word "the" where it appears the second time the words "certified public accountant or the" and by striking out immediately thereafter the word "certified" and inserting in lieu thereof the words "competent independent."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—194

Adams,	Fulmer,	Lee, A. M.,	Reidenbach,
Anderson, J. H.	Gallagher,	Lee, K. B.,	Renwick,
Arlene,	Gelfand,	Leonard,	Riley,
Ashton,	George,	Limper,	Rovansek,
Auker,	Gibb,	Long, Wm. Jas.,	Rubin,
Bachman	Gibbons,	Long, Wm. Jos.,	Rudisill,
Backenstoe,	Goldstein, J. H.,	Lutty,	Rutherford,
Blair,	Goldstein, M. H.,	Magee,	Sakulsky,
Bonner,	Goodrich,	Manbeck,	Scarcelli,
Bossert,	Gramlich,	Markley,	Schaaf,
Bower,	Gray,	Marsh,	Schuster,
Bowman,	Greenlee,	Maxwell,	Seltzer,
Branca,	Gremminger,	May,	Shelton,
Breth,	Gross,	McCandless,	Sherman,
Buchanan,	Guesman,	McCann,	Simmons,
Bush,	Guthrie,	McCormack,	Slack,
Capano,	Hamilton,	McDevitt,	Snare,
Capitolo,	Hankins,	McDonald,	Stank,
Cauley,	Hartley,	McInroy,	Steckel,
Cioffi,	Haudenshield,	McKeever,	Stimmel,
Clarke,	Heavey,	McLaughlin,	Stitteler,
Comer,	Heffner,	McNally,	Sullivan, J. A.,
Cooley,	Helm,	Meholchick,	Sullivan, T. F.,
Crossin,	Henzel,	Merry,	Taylor,
Curwood,	Hocker,	Miller,	Thompson,
Davis,	Holl,	Mills,	Tomascik,
Dengler,	Holliday,	Monroe,	Tompkins,
Dennison,	Holman,	Morley,	Trusio,
Donaldson,	Horst,	Mullen,	Ujobai,
Dougherty,	Irvis,	Murphy,	Varner,
Doughten,	Isaacs,	Murray,	Verona,
Down,	Jenkins,	Musto,	Wall,
Edwards,	Jim,	Needham,	Wargo,
Ellberg,	Johnson, A. W.,	O'Dell,	Weidner,
Elvey,	Johnson, R. P.,	O'Donnell, J. A.,	Welsh,
Eshback,	Jones,	O'Donnell, J. P.,	Wescott,
Eshleman,	Kamyk,	Odlorisio,	Willard,
Esler,	Keiser,	Ogilvie,	Willaredt,
Ewing,	Kelly,	Parlante,	Williams, A. D.,
Farabaugh,	Kernaghan,	Pashley,	Williams, E. S.,
Fetterolf,	King,	Perry,	Wilt,
Filo,	Kistler,	Petrosky,	Wood,
Fineman,	Klein,	Polaski,	Worley,
Flynn,	Knecht,	Polen,	Wynd,
Foor,	Kooker,	Prendergast,	Yetter,
Foerster,	Kornick,	Price,	Zember,
Fox,	Korna,	Pursley,	Zimmerman,
Frascella,	Kramer,	Reibman,	Andrews,
Fry,	Lawson,		Speaker

NAYS—5

Boles,	Lamb,	Lippincott,	Whittaker,
Cianfrani,			

NOT VOTING—11

Anderson, S. A.,	Mihm,	Royer,	Strausser,
Galley,	Munley,	Shupnik,	Walsh,
Kessler,	Piper,	Stone,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, that the clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 428.

An Act amending the act of April 29, 1959 (P. L. 58), entitled "An act consolidating and revising the Vehicle Code the Tractor Code the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership possession and use of vehicles and tractors" redefining Motorcycle limiting the use of the transcript and the record of a suspension hearing providing for the designation of inspection stations for trucks and truck tractors permitting the private vehicle of the chief and the first assistant chief of police and the first assistant chief of any fire department and in certain cases the second assistant chief to be equipped with a siren prohibiting parking in certain additional places extending the time during which the secretary shall suspend certain operators' privileges and prescribing penalties.

With the information that the Senate had passed the same with amendments in which the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The clerk will read the amendments.

The clerk read the amendments as follows:

Amend Title, page 2, line 2, by inserting after the word "department" the following: "and in certain cases the second assistant chief"; line 5, by striking out after the word "places" the following: extending the time during which the secretary shall suspend certain operators' privileges"; Section 1, page 6, line 5, by inserting after the word "department" the following: and when a fire company has three (3) or more pieces of apparatus a second assistant chief; Section 2, page 7, line 3, by striking out after the word "of" the words and figures "twenty-four (24)" and inserting in lieu thereof the words and figures "thirty-six (36)"; line 14, by striking out the brackets before and after the word and figures "sixty (60)" and by striking out immediately thereafter the words and figures "one hundred twenty (120)"; page 8, line 8, by striking out the brackets before and after the words and figures "sixty (60)" and by striking out immediately thereafter the words and figures "one hundred twenty (120)."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—184

Adams,	Fry,	Leonard,	Rovansek,
Anderson, J. H.	Fulmer,	Limper,	Rubin,
Anderson, S. A.,	Gallagher,	Long, Wm. Jas.,	Rudisill,
Arlene,	Gelfand,	Long, Wm. Jos.,	Rutherford,
Ashton,	George,	Lutty,	Sakulsky,
Bachman	Gibb,	Magee,	Scarcelli,
Backenstoe,	Goldstein, J. H.,	Manbeck,	Schaaf,
Blair,	Goldstein, M. H.,	Markley,	Schuster,
Boles,	Goodrich,	Marsh,	Seltzer,
Bonner,	Gramlich,	Maxwell,	Shelton,
Bossert,	Gray,	May,	Sherman,
Bower,	Greenlee,	McCandless,	Shupnik,
Bowman,	Gremminger,	McCann,	Slack,
Branca,	Gross,	McDevitt,	Snare,
Breth,	Guesman,	McDonald	Stank,
Buchanan,	Guthrie,	McInroy,	Steckel,
Capano,	Hamilton,	McKeever,	Stimmel,
Capitolo,	Hankins,	McLaughlin,	Stiteler,
Cauley,	Hartley,	McNally,	Stone,
Cloff,	Haudenshield,	Meholchick,	Sullivan, J. A.,
Clarke,	Heavey,	Merry,	Sullivan, T. F.,
Comer,	Heffner,	Mills,	Taylor,
Cooley,	Helm,	Monroe,	Thompson,
Crossin,	Henzel,	Morley,	Tomasclik,
Curwood,	Hocker,	Mullen,	Tompkins,
Davis,	Holl,	Murphy,	Ujobai,
Dennison,	Horst,	Murray,	Varner,
Donaldson,	Irvs,	Musto,	Verona,
Dougherty,	Jim,	Needham,	Wall,
Doughten,	Johnson, A. W.,	O'Dell,	Walsh,
Down,	Johnson, R. P.,	O'Donnell, J. A.,	Wargo,
Edwards,	Jones,	O'Donnell, J. P.,	Weidner,
Eilberg,	Kelser,	Ogilvie,	Welsh,
Elvey,	Kelly,	Parlante,	Wescott,
Eshback,	King,	Pashley,	Willard,
Eshleman,	Kistler,	Perry,	Willaredt,
Esler,	Klein,	Petrosky,	Williams, A. D.,
Ewing,	Knecht,	Polaski,	Williams, E. S.,
Farabaugh,	Kooker,	Polen,	Wilt,
Fetterolf,	Kornick,	Prendergast,	Wood,
Filo,	Korns,	Price,	Worley,
Fineman,	Kramer,	Pursley,	Wynd,
Flynn,	Lamb,	Reibman,	Yetter,
Foerster,	Lawson,	Reidenbach,	Zember,
Foor,	Lee, A. M.,	Renwick,	Zimmerman,
Frascella,	Lee, K. B.,	Riley,	Andrews,

Speaker

NAYS—16

Auker,	Fox,	Isaacs,	McCormack,
Bush,	Gibbons,	Jenkins,	Miller,
Cianfrani,	Holliday,	Kernaghan,	Odorisio,
Dengler,	Holman,	Lippincott,	Whittaker,

NOT VOTING—10

Galley,	Mihm,	Royer,	Strausser,
Kamyk,	Munley,	Simmons,	Trusio,
Kessler,	Piper,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, that the clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 530.

An Act amending the act of July 28, 1953 (P. L. 723), entitled 'An act relating to counties of the second class amending revising consolidating and changing the laws relating thereto' authorizing the adoption of rules and regulations concerning inflammable or combustible substances certain fire hazards fire preventive equipment reports of fires and explosions authorizing permits to be required and fixing penalties.

With the information that the Senate had passed the same with amendments in which the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The clerk will read the amendments.

The clerk read the amendments as follows:

Amend Section 1, page 3, line 16, by striking out after the word "days" the words "or both."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Adams,	Frascella,	Lee, K. B.,	Riley,
Anderson, J. H.	Fulmer,	Leonard,	Rovansek,
Anderson, S. A.,	Gallagher,	Limper,	Rubin,
Arlene,	George,	Lippincott,	Rudisill,
Ashton,	Gibb,	Long, Wm. Jas.,	Rutherford,
Auker,	Gibbons,	Long, Wm. Jos.,	Sakulsky,
Bachman	Goldstein, J. H.,	Lutty,	Scarcelli,
Backenstoe,	Goldstein, M. H.,	Manbeck,	Schaaf,
Blair,	Goodrich,	Magee,	Schuster,
Boles,	Gramlich,	Markley,	Seltzer,
Bonner,	Gray,	Marsh,	Shelton,
Bossert,	Greenlee,	Maxwell,	Sherman,
Bower,	Gremminger,	May,	Shupnik,
Bowman,	Gross,	McCandless,	Simmons,
Branca,	Guesman,	McCann,	Slack,
Breth,	Guthrie,	McCormack,	Snare,
Buchanan,	Hamilton,	McDevitt,	Stank,
Bush,	Hankins,	McDonald	Steckel,
Capano,	Hartley,	McInroy,	Stimmel,
Capitolo,	Haudenshield,	McKeever,	Stiteler,
Cauley,	Heavey,	McLaughlin,	Stone,
Cianfrani,	Heffner,	McNally,	Sullivan, J. A.,
Cloff,	Helm,	Meholchick,	Sullivan, T. F.,
Clarke,	Henzel,	Merry,	Taylor,
Comer,	Hocker,	Miller,	Thompson,
Cooley,	Holl,	Mills,	Tomasclik,
Crossin,	Holliday,	Monroe,	Tompkins,
Curwood,	Holman,	Morley,	Trusio,
Davis,	Horst,	Mullen,	Ujobai,
Dengler,	Irvs,	Murphy,	Varner,
Dennison,	Isaacs,	Murray,	Verona,
Donaldson,	Jenkins,	Musto,	Wall,
Dougherty,	Jim,	Needham,	Walsh,
Doughten,	Johnson, A. W.,	O'Dell,	Weidner,
Down,	Johnson, R. P.,	O'Donnell, J. A.,	Welsh,
Edwards,	Jones,	O'Donnell, J. P.,	Wescott,
Eilberg,	Kamyk,	Odorisio,	Whittaker,
Elvey,	Kelser,	Ogilvie,	Willard,
Eshback,	Kelly,	Parlante,	Willaredt,
Eshleman,	Kernaghan,	Pashley,	Williams, A. D.,
Esler,	King,	Perry,	Williams, E. S.,
Ewing,	Kistler,	Petrosky,	Wilt,
Farabaugh,	Klein,	Polaski,	Wood,
Fetterolf,	Knecht,	Polen,	Worley,
Filo,	Kooker,	Prendergast,	Wynd,
Fineman,	Kornick,	Price,	Yetter,
Flynn,	Kramer,	Pursley,	Zember,
Foerster,	Lamb,	Reibman,	Zimmerman,
Foor,	Lawson,	Reidenbach,	Andrews,
Fox,	Lee, A. M.,	Renwick,	Speaker

NAYS—1

Korns,

NOT VOTING—10

Fry,	Kessler,	Piper,	Strausser,
Galley,	Mihm,	Royer,	Wargo,
Gelfand,	Munley,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, that the clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR
CONCURRENCE

The clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 980.

An Act relating to the payment of wages or compensation for labor or services providing for regular pay days conferring powers and duties upon the Department of Labor and Industry including powers and duties with respect to the civil collection of wages providing civil and criminal penalties for violations of the act providing for their collection and disposition and providing for additional civil damages.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The clerk will read the amendments.

The clerk read the amendments as follows:

Amend Section 3, page 3, line 4, by striking out after the word "paid" the words "in full; line 7, by inserting after the word "made" the following: including deductions of contributions to employees' welfare and pension plans which are subject to the "federal welfare and pension plans disclosure act" Section 5, page 4, line 9, by inserting after the word "disputes" the following: for other reasons beyond the control of the employer Section 7, page 5, by striking out all of line 6, as follows: "including a collective agreement"; Section 8, page 5, line 10, by inserting after the word "hereunder" the following: nothing in this act shall authorize an employee of the secretary to initiate a civil action for unpaid wages which are subject to disposition under grievance and arbitration procedures of a collective bargaining agreement Section 9, page 6, line 5, by inserting after the word "the" the following: after receipt of such registered or certified notification.

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—198

Adams,	Fulmer,	Lee, K. B.,	Riley,
Anderson, J. H.	Gallagher,	Leonard,	Rovansek,
Anderson, S. A.,	Gelfand,	Limper,	Rubin,
Arlene,	George,	Lippincott,	Rudisill,
Ashton,	Gibb,	Long, Wm. Jas.,	Rutherford,
Auker,	Gibbons,	Long, Wm. Jos.,	Sakulsky,
Bachman	Goldstein, J. H.,	Lutty,	Scarcell,
Backenstoe,	Goldstein, M. H.,	Magee,	Schaauf,
Blair,	Goodrich,	Manbeck,	Schuster,
Boles,	Gramlich,	Markley,	Seltzer,
Bonner,	Gray,	Marsh,	Shelton,
Bossert,	Greenlee,	Maxwell,	Sherman,
Bowman,	Gremminger,	May,	Shupnik,
Branca,	Gross,	McCandless,	Slack,
Breth,	Guesman,	McCann,	Snare,
Buchanan,	Guthrie,	McCormack,	Stank,
Bush,	Hamilton,	McDevitt,	Steckel,
Capano,	Hankins,	McDonald,	Stimmel,
Capitolo,	Hartley,	McInroy,	Stiteler,
Cauley,	Haudenschild,	McKeever,	Stone,
Cianfrani,	Heavey,	McLaughlin,	Sullivan, J. A.,
Cioffi,	Heffner,	McNally,	Sullivan, T. F.,
Clarke,	Helm,	Meholchick,	Taylor,
Comer,	Henzel,	Merry,	Thompson,
Cooley,	Hocker,	Miller,	Tomaschk,
Crossin,	Holl,	Mills,	Tompkins,

Curwood,	Holliday,	Morley,	Truslo,
Davis,	Holman,	Mullen,	Ujobal,
Dengler,	Horst,	Murphy,	Varner,
Dennison,	Irviss,	Murray,	Verona,
Donaldson,	Isaacs,	Musto,	Wall,
Dougherty,	Jenkins,	Needham,	Walsh,
Doughten,	Jim,	O'Dell,	Wargo,
Down,	Johnson, R. P.,	O'Donnell, J. A.,	Weldner,
Ellberg,	Jones,	O'Donnell, J. P.,	Welsh,
Elvey,	Kamyk,	Odoristo,	Wescott,
Eshback,	Kelser,	Ogilvie,	Whittaker,
Eshleman,	Kelly,	Parlante,	Willard,
Esler,	Kernaghan,	Pashley,	Willaredt,
Ewing,	King,	Perry,	Williams, A. D.,
Farabaugh,	Kistler,	Petrosky,	Williams, E. S.,
Fetterolf,	Klein,	Polaski,	Wilt,
Filo,	Knecht,	Polen,	Wood,
Fineman,	Kooker,	Prendergast,	Worley,
Flynn,	Kornick,	Price,	Wynd,
Foerster,	Korns,	Pursley,	Yetter,
Foor,	Kramer,	Reibman,	Zember,
Fox,	Lamb,	Reidenbach,	Zimmerman,
Frascella,	Lawson,	Renwick,	Andrews,
Fry,	Lee, A. M.,		Speaker

NAYS—1

Edwards,

NOT VOTING—11

Bower,	Kessler,	Munley,	Simmons,
Galley,	Mihm,	Piper,	Strausser,
Johnson, A. W.,	Monroe,	Royer,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, that the clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR
CONCURRENCE

The clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1169.

An Act amending the act of May 29, 1956 (P. L. 1803), entitled "An act providing for the establishment of forestry conservation camps by the Department of Forests and Waters for the development and conservation of the forests of this Commonwealth and for the rehabilitation and training of male youth giving additional powers to the Department of Welfare and making an appropriation" further regulating the acceptance and transfer of campers and providing for the payment by counties of a part of the operating expenses.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The clerk will read the amendments.

The clerk read the amendments as follows:

Amend Section 4, page 4, line 16, by inserting after the word "boy" the following:

Provided however that for purposes of this section for determining reimbursement to the commonwealth operating expenses and by striking out immediately thereafter the words "The operating expense."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Adams,	Fulmer,	Lee, A. M.,	Riley,
Anderson, J. H.	Gallagher,	Lee, K. B.,	Rovansek,
Arlene,	Gelfand,	Leonard,	Rubin,
Ashton,	George,	Limper,	Rudisill,
Auker,	Gibb,	Lippincott,	Rutherford,
Bachman,	Gibbons,	Long, Wm. Jas.,	Sakulsky,
Backenstoe,	Goldstein, J. H.,	Long, Wm. Jos.,	Scarcelli,
Blair,	Goldstein, M. H.,	Lutty,	Schaafer,
Boles,	Goodrich,	Magee,	Schuster,
Bonner,	Gramlich,	Manbeck,	Seltzer,
Bossert,	Gray,	Markley,	Shelton,
Bower,	Greenlee,	Marsh,	Sherman,
Bowman,	Gremminger,	Maxwell,	Shupnik,
Branca,	Gross,	May,	Simmons,
Breth,	Guesman,	McCandless,	Slack,
Buchanan,	Guthrie,	McCann,	Snare,
Bush,	Hamilton,	McCormack,	Stank,
Capano,	Hankins,	McDevitt,	Steckel,
Capitolo,	Hartley,	McDonald,	Stimmel,
Caulley,	Haudensfield,	McInroy,	Stiteler,
Cianfrani,	Heavey,	McKeever,	Stone,
Cioffi,	Heffner,	McLaughlin,	Sullivan, J. A.,
Clarke,	Helm,	McNally,	Sullivan, T. F.,
Comer,	Henzel,	Meholchick,	Taylor,
Cooley,	Hocker,	Merry,	Thompson,
Crossin,	Holl,	Miller,	Tomasclik,
Curwood,	Holliday,	Mills,	Tompkins,
Davis,	Holman,	Monroe,	Trusio,
Dengler,	Horst,	Morley,	Ujobai,
Dennison,	Irviss,	Mullen,	Varner,
Donaldson,	Jenkins,	Murphy,	Verona,
Dougherty,	Jim,	Murray,	Wall,
Doughten,	Isaacs,	Musto,	Walsh,
Down,	Johnson, A. W.,	Needham,	Wargo,
Ellberg,	Johnson, R. P.,	O'Dell,	Weidner,
Elvey,	Jones,	O'Donnell, J. A.,	Welsh,
Eshback,	Kamyk,	O'Donnell, J. P.,	Wescott,
Eshleman,	Kelser,	Odorisio,	Whittaker,
Esler,	Kelly,	Ogilvie,	Willard,
Ewing,	Kernaghan,	Parlante,	Willaredt,
Farabaugh,	King,	Pashley,	Williams, A. D.,
Fetterolf,	Kistler,	Perry,	Williams, E. S.,
Filo,	Klein,	Petrosky,	Wilt,
Fineman,	Knecht,	Polaski,	Wood,
Flynn,	Kooker,	Polen,	Worley,
Foerster,	Kornick,	Prendergast,	Wynd,
Foor,	Korns,	Price,	Yetter,
Fox,	Kramer,	Pursley,	Zember,
Frascella,	Lamb,	Reibman,	Zimmerman,
Fry,	Lawson,	Renwick,	Andrews,

Speaker

NAYS—1

Edwards,

NOT VOTING—9

Anderson, S. A.,	Mihm,	Piper,	Royer,
Galley,	Munley,	Reidenbach,	Strausser,
Kessler,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, that the clerk inform the Senate accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 678

Mr. McCANN. Mr. Speaker, I call up the report of the Committee of Conference on House bill No. 678.

The report of the Committee of Conference was read as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 678, entitled: "An act amending the act of July 7, 1955 (P. L. 258), entitled 'An act providing for anthracite mine drainage contingent on Federal aid and making an appropriation' extending the provisions of the act to authorize the sealing of abandoned coal mines and filling voids in abandoned coal

mines and making money heretofore appropriated available for those purposes."

Respectfully submit the following bill as our report:

THOMAS J. KALMAN,
MARTIN L. MURRAY,
(Committee on the part of the Senate.)
FRANK P. CROSSIN,
JOSEPH G. WARGO,

(Committee on the part of the House of Representatives.)

An Act amending the act of July 7, 1955 (P. L. 258), entitled "An act providing for anthracite mine drainage contingent on Federal aid and making an appropriation" extending the provisions of the act to authorize the sealing of abandoned coal mines and filling voids in abandoned coal mines and making money heretofore appropriated available for those purposes.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 Section 1 and 2 act of July 7, 1955 (P. L. 258), entitled "An act providing for anthracite mine drainage contingent on Federal aid and making an appropriation" amended February 11, 1959 (P. L. 3), are amended to read

Section 1 In the event that Federal moneys are made available on a matching basis for the control and drainage of water from anthracite coal formations to seal abandoned coal mines and to fill voids in abandoned coal mines the Commonwealth accepts the grant of Federal aid thereunder subject to the terms and conditions of the grant.

Section 2 In such event the Department of Mines and Mineral Industries shall construct ditches flumes backfill stripping pits and cropfalls and improve stream beds for the purpose of preventing the flow of surface water into mines and shall purchase the necessary materials for the same and also shall purchase and install pumps pipes machinery equipment and materials for the purpose of pumping water from abandoned mines and shall seal abandoned coal mines and fill voids in abandoned coal mines in those instances where such work is in the interest of public welfare Provided however That the Commonwealth shall not bear any operating and maintenance costs whatsoever and shall not bear the installation costs of any underground facilities however this restriction shall not apply and shall not pertain to cases of emergencies endangering life created by the flooding of mines nor shall the functions herein set out be restricted to abandoned mines in cases of such emergency.

In such instances upon the prior determination by the Secretary of Mines and Mineral Industries when the Secretary of the Interior of the United States of America operating under the Federal companion legislation has likewise ruled that an emergency exists the Department of Mines and Mineral Industries shall.

(1) Conduct rescue operations

(2) Without advertising or competitive bidding purchase material and equipment and provide labor and techniques for pumping of water from the mines constructing ditches flumes and other devices for mine drainage for sealing backfilling and for the performance of any other work designated by the Secretary of Mines and Mineral Industries as expedient to prevent the spreading and reduce the hazards from flooding of mines

(3) Pay for power and for other costs attendant upon the operation and maintenance of pumping and other devices for mine drainage

(4) Perform the purpose of the act with personnel of the department or by contract with others

(5) Reimburse any person agency or corporation for material labor and equipment furnished at the request of the Department of Mines and Mineral Industries in the performance of the aforesaid duties

(6) Pay for the foregoing whether already undertaken or to be undertaken hereafter

(7) Conduct investigation to determine the cause of this disaster and to institute measures to insure the future safety and health of persons in the area and

(8) Do all necessary and expedient to effect the purposes of this act

Section 2 Section 4 of the act is amended to read

Section 4 The sum of eight million five hundred

thousand dollars (\$8,500,000) or as much thereof as is necessary is appropriated to the Department of Mines and Mineral Industries to match Federal moneys made available for the control and drainage of water from anthracite coal formations to seal abandoned coal mines and to fill voids in abandoned coal mines in this Commonwealth and to carry out the purposes of this act

Section 3 This act shall take effect immediately

On the question,

Will the House adopt the report of the Committee of Conference?

Mr. HEFFNER. Mr. Speaker, as one of the conferees I failed to sign this report because I sincerely believe that the Senate amendment to the original bill made the bill now before us a better bill. However, today I am going to vote for the conference report, lest my motives be misconstrued to mean that I am not in favor of aid to my own anthracite region.

Mr. Speaker, the conference report merely puts this bill back to its original form and strikes out an amendment which was inserted by the Senate. The amendment in the Senate was nothing more than a reaffirmation of the original intent of this act when it was passed in 1955. The amendment said in effect that we agree with the broad purposes of this bill; however, in the administration of the bill by the Department of Mines "Preference," and I am quoting, "shall be given to the sealing of abandoned coal mines and the filling of those voids that are in close proximity to operating mines to buildings or public highways." In other words, the Senate reaffirmed the original intent of the anthracite drainage act which was to help existing mines stay in operation.

Mr. Speaker, I have been unable to ascertain any good reason for striking out the amendment inserted in this bill by the Senate. The only reason offered by the conferees and the proponents of the bill as it now stands is that there is a similar bill in a Washington sub-committee of Congress and they want this language to be identical.

However, Mr. Speaker, there are also two or three other bills dealing with the same subject which contain different language than the bill now before us, and I do not think anyone in the Pennsylvania legislature can ascertain with reasonable certainty just what the Congress of the United States will do with that legislation.

Mr. Speaker, this fund as it now stands will be beneficial to the anthracite area if the Department of Mines administers this fund fairly and judiciously. As I see the duty of the Department of Mines, it should first of all help the existing industries in Schuylkill County as well as the entire anthracite area by helping those mines now in existence, especially in my own district and in Northumberland County, where we have four mines which now employ 6,000 people daily in operating the mines.

Secondly, I believe that this fund should be administered to help new industry come into the anthracite region. But we should never lose sight of the original intent, the intent that this should help existing anthracite mines in Pennsylvania and that is why I voted against the conference report, because we did not get that assurance. However, I am asking the members on my side of the aisle—on both sides of the aisle—to go along with the conference report because it is a bill beneficial to the anthracite region.

On the question recurring,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Adams,	Fulmer,	Lee, A. M.,	Riley,
Anderson, J. H.	Gallagher,	Lee, K. B.,	Rovansek,
Anderson, S. A.,	Gelfand,	Leonard,	Rubin,
Arlene,	George,	Limper,	Rudisill,
Ashton,	Gibb,	Lippincott,	Rutherford,
Auker,	Gibbons,	Long, Wm. Jas.,	Sakulsky,
Bachman	Goldstein, J. H.,	Long, Wm. Jos.,	Scarcell,
Backenstoe,	Goldstein, M. H.,	Lutty,	Schaaf,
Blair,	Goodrich,	Mages,	Schuster,
Boles,	Gramlich,	Manbeck,	Seltzer,
Bonner,	Gray,	Markley,	Shelton,
Bossert,	Greenlee,	Marsh,	Sherman,
Bowman,	Gremminger,	Maxwell,	Shupnik,
Branca,	Gross,	May,	Simmons,
Breth,	Guesman,	McCandless,	Slack,
Buchanan,	Guthrie,	McCann,	Snare,
Bush,	Hamilton,	McCormack,	Stank,
Capano,	Hankins,	McDevitt,	Steckel,
Capitolo,	Hartley,	McDonald,	Stimmel,
Cauley,	Haudenshield,	McInroy,	Stiteler,
Cianfrani,	Heavey,	McKeever,	Stone,
Cioffi,	Heffner,	McLaughlin,	Sullivan, J. A.,
Clarke,	Helm,	McNally,	Sullivan, T. F.,
Comer,	Henzel,	Meholchick,	Taylor,
Cooley,	Hocker,	Merry,	Thompson,
Crossin,	Holl,	Miller,	Tomascik,
Curwood,	Holliday,	Mills,	Tompkins,
Davis,	Holman,	Monroe,	Truslo,
Dengler,	Horst,	Morley,	Ujbal,
Dennison,	Irviss,	Mullen,	Varner,
Donaldson,	Isaacs,	Murphy,	Verona,
Dougherty,	Jenkins,	Murray,	Wall,
Doughten,	Jim,	Musto,	Walsh,
Down,	Johnson, A. W.,	Needham,	Wargo,
Edwards,	Johnson, R. P.,	O'Donnell, J. A.,	Weidner,
Ellberg,	Jones,	O'Donnell, J. P.,	Welsh,
Elvey,	Kamyk,	Odorisio,	Wescott,
Eshback,	Kelser,	Ogilvie,	Whittaker,
Eshleman,	Kelly,	Parlante,	Willard,
Esler,	Kernaghan,	Pashley,	Willaredt,
Ewing,	King,	Perry,	Williams, A. D.,
Farabaugh,	Kistler,	Petrosky,	Williams, E. S.,
Fetterolf,	Klein,	Polaski,	Wilt,
Filo,	Knecht,	Polen,	Wood,
Fineman,	Kooker,	Prendergast,	Worley,
Flynn,	Kornick,	Price,	Wynd,
Foerster,	Korns,	Pursley,	Yetter,
Foor,	Kramer,	Reibman,	Zember,
Fox,	Lamb,	Reidenbach,	Zimmerman,
Frascella,	Lawson,	Renwick,	Andrews,
Fry,			Speaker

NAYS—2

Bower, O'Dell,

NOT VOTING—7

Galley,	Mihm,	Piper,	Strausser,
Kessler,	Munley,	Royer,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, that the clerk inform the Senate accordingly.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY THE HOUSE

The clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House bill No. 715, entitled:

An Act amending the act of June 1, 1959 (P. L. 392), entitled "State Employees' Retirement Code of 1959" providing for the creation of a dual coverage group and the right of certain members to elect dual coverage.

And has appointed Messrs. RIPP, SILVERT and WADE a committee of conference to confer with a similar committee of the House of Representatives, (if the House of Representatives shall appoint such committee) on the subject of the differences between the two Houses in relation to said bill.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 715

The SPEAKER pro tempore. The Chair has appointed as a Committee of Conference on the part of the House, Messrs. POLEN, HAMILTON and BOWER.

Ordered, that the clerk inform the Senate accordingly.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON- CONCURRED IN BY THE HOUSE

The clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House bill No. 716 entitled:

An Act amending the act of June 1, 1959 (P. L. 350), entitled "Public School Employees' Retirement Code of 1959" providing for the creation of a dual coverage group and the right of certain members to elect dual coverage.

And has appointed Messrs. RIPP, SILVERT and WADE a committee of conference to confer with a similar committee of the House of Representatives, (if the House of Representatives shall appoint such committee) on the subject of the differences between the two Houses in relation to said bill.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 716

The SPEAKER pro tempore. The Chair has appointed as a Committee of Conference on the part of the House, Messrs. POLEN, HAMILTON and BOWER.

Ordered, that the clerk inform the Senate accordingly.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON- CONCURRED IN BY THE HOUSE

The clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House bill No. 869, entitled:

An Act amending the act of June 12, 1951 (P. L. 533), entitled "The Mental Health Act of 1951" regulating voluntary admission of minors to institutions and further regulating emergency commitments.

And has appointed Messrs. MURRAY, KALMAN and VAN SANT a committee of conference to confer with a similar committee of the House of Representatives, (if the House of Representatives shall appoint such committee) on the subject of the differences between the two Houses in relation to said bill.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 869

The SPEAKER pro tempore. The Chair has appointed as a Committee of Conference on the part of the House, Messrs. STONE and FINEMAN and Mrs. MARKLEY.

Ordered, that the clerk inform the Senate accordingly.

BIRTHDAY

Mr. McCANN. Before we take up the bills, I would like to bring to the attention of the House that today is the birthday of the gentleman from Allegheny, Mr. McLaughlin. Is Mr. Dengler here?

The SPEAKER pro tempore. I see the gentleman in his seat. Will the gentleman take the microphone?

Mr. DENGLER. Let us sing "Happy birthday, dear Leo."

The SPEAKER pro tempore. In extending the greetings of the Chair, happy birthday to the gentleman from Allegheny, Mr. McLaughlin, the Chair recognizes the gentleman from Allegheny, Mr. McLaughlin.

Mr. McLAUGHLIN. Mr. Speaker, it is a privilege and pleasure to be present in the House here with all these fine gentlemen and gracious ladies on this day. Thank you.

Mr. McCANN. Mr. Speaker, on page 21, bills on third reading, I call up House bill 1234, printer's No. 1408.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1234, entitled:

An Act amending "The Pennsylvania Workmen's Compensation Act" approved June 2, 1915 (P. L. 736), increasing liability for burial costs.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Adams,	Fry,	Lee, A. M.,	Rovansek,
Anderson, J. H.,	Fulmer,	Lee, K. B.,	Rubin,
Anderson, S. A.,	Gallagher,	Leonard,	Rudisill,
Arlene,	Gelfand,	Limper,	Rutherford,
Ashton,	Gibb,	Lippincott,	Sakulsky,
Bachman,	Gibbons,	Long, Wm. Jas.,	Scarcell,
Backenstoe,	Goldstein, J. H.,	Long, Wm. Jos.,	Schaaf,
Blair,	Goldstein, M. H.,	Lutty,	Schuster,

Boles, Bonner, Bossert, Bower, Bowman, Branca, Breth, Buchanan, Bush, Capano, Capitolo, Cauley, Clanfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dengler, Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Ellberg, Elvey, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Flynn, Foerster, Foor, Fox, Frascella,	Goodrich, Gramlich, Gray, Greenlee, Gremminger, Gross, Guesman, Guthrie, Hamilton, Hankins, Hartley, Haudenshield, Heavey, Heffner, Helm, Henzel, Hocker, Holl, Holliday, Holman, Irvis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kelser, Kelly, Kernaghan, King, Kistler, Klein, Knecht, Kooker, Kornick, Korns, Kramer, Lamb, Lawson,	Magee, Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McCormack, McDevitt, McDonald, McInroy, McKeever, McLaughlin, McNally, Meholchick, Merry, Miller, Mills, Monroe, Mullen, Murphy, Murray, Musto, Needham, O'Donnell, J. A., O'Donnell, J. P., Ogilvie, Parlante, Pashley, Perry, Petrosky, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick, Riley,	Seltzer, Shelton, Sherman, Shupnik, Simmons, Slack, Snare, Stank, Steckel, Stimmel, Stiteler, Stone, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomasck, Tompkins, Trusio, Ujobal, Varnier, Verona, Wall, Walsh, Wargo, Weldner, Welsh, Wescott, Whittaker, Willard, Willaredt, Williams, A. D., Williams, E. S., Wilt, Wood, Worley, Wynd, Yetter, Zember, Zimmerman, Andrews,
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Speaker

NAYS—4

Auker,	Esler,	George,	O'Dell,
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NOT VOTING—10

Galley, Horst, Kessler,	Mihm, Munley, Odorisio,	Piper, Polaski,	Royer, Strausser,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1440, entitled:

An Act amending "The Pennsylvania Workmen's Compensation Act" approved June 2, 1915 (P. L. 736), requiring employers to furnish replacements for artificial limbs and eyes and to furnish additional medical care in connection therewith.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Adams, Anderson, S. A., Auker, Bachman, Backenstoe, Boles, Bonner,	Fulmer, Gallagher, Gelfand, George, Gibb, Gibbons, Goldstein, J. H.,	Lee, K. B., Leonard, Limper, Lippincott, Long, Wm. Jas., Long, Wm. Jos., Lutty,	Reidenbach, Renwick, Riley, Rovanske, Rubin, Rudisill, Rutherford,
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Bossert, Bower, Branca, Breth, Buchanan, Bush, Capano, Capitolo, Cauley, Clanfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Dengler, Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Ellberg, Elvey, Eshback, Eshleman, Esler, Ewing, Farabaugh, Filo, Fineman, Flynn, Foerster, Foor, Fox, Frascella, Fry,	Goldstein, M. H., Gray, Greenlee, Gremminger, Gross, Guesman, Hamilton, Hankins, Hartley, Haudenshield, Heavey, Heffner, Hocker, Holliday, Holman, Horst, Irvis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kelser, Kelly, Kernaghan, King, Kistler, Klein, Kooker, Kornick, Korns, Kramer, Lamb, Lawson, Lee, A. M.,	Magee, Markley, Marsh, Maxwell, May, McCandless, McCann, McCormack, McDevitt, McDonald, McInroy, McKeever, McLaughlin, McNally, Meholchick, Miller, Mills, Monroe, Morley, Mullen, Murphy, Murray, Musto, Needham, O'Donnell, J. A., O'Donnell, J. P., Ogilvie, Parlante, Pashley, Perry, Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman,	Sakulsky, Scarcelli, Schaaf, Schuster, Shelton, Sherman, Shupnik, Simmons, Stank, Steckel, Stimmel, Stone, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomasck, Trusio, Ujobal, Varnier, Verona, Wall, Walsh, Wargo, Welsh, Whittaker, Willard, Williams, A. D., Williams, E. S., Wilt, Wood, Worley, Wynd, Yetter, Zember, Zimmerman, Andrews,
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Speaker

NAYS—23

Anderson, J. H., Ashton, Blair, Bowman, Davis, Fetterolf,	Goodrich, Gramlich, Guthrie, Helm, Henzel, Holl,	Manbeck, Merry, O'Dell, Seltzer, Slack, Snare,	Stiteler, Tompkins, Weldner, Wescott, Willaredt,
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NOT VOTING—10

Arlene, Galley, Kessler,	Knecht, Mihm, Munley,	Odorisio, Piper,	Royer, Strausser,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

ANNOUNCEMENT

Mr. McCANN. Mr. Speaker, I have made arrangements with the gentleman who operates the cafeteria. We will break in the neighborhood of 1:45 for lunch. He will have others out of there and the entire staff will be waiting.

BILLS ON THIRD READING

BILL PASSED OVER

There being no objection

House bill No. 1462, printer's No. 2389 was passed over at the request of Mr. LIPPINCOTT.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1595, entitled:

An Act amending the "Public Assistance Law" approved June 24, 1937 (P. L. 2051), further defining assistance to include certain dependent children and medical care for the aged and those persons eligible therefor and prescribing procedures requirements and penalties incidental thereto.

On the question,
Will the House agree to the bill on third reading?
It was agreed to.

On the question,
Shall the bill pass finally?

The SPEAKER pro tempore. The Chair recognizes the minority leader.

Mr. A. W. JOHNSON. Mr. Speaker, there is one part of this bill on which a question was raised in our caucus as to the legislative intent, whether the meaning of "living apart" by a husband and wife, that is to say, if a husband and wife are living apart, the test would be that their income would only have to be \$1,500 each, which would mean that if they lived apart through design the test would be \$3,000 income that they could have together and would qualify under this act, whereas, if they are living together, their income can only be \$2,400.

I would like to ask someone on the other side, as a matter of legislative intent what do they mean by "living apart"? If they are living apart by design for the purpose of circumventing the act, would that be "living apart" within the meaning of the act? Who can answer that on the other side?

The SPEAKER pro tempore. The Chair notices that the gentleman from Beaver, Mr. Stone, is standing at his microphone. Will the gentleman permit himself to be interrogated?

Mr. STONE. I shall, Mr. Speaker.

The SPEAKER pro tempore, The gentleman will proceed.

Mr. STONE. Mr. Speaker, in answer to the gentleman's question, ultimately it probably would have to be a court decision, but we could not tolerate a collusive "living apart"; we would have to have a legitimate difference, marital difference, that would require the separation. That would be my understanding.

Mr. A. W. JOHNSON. Can you say then as an expression of legislative intent that "living apart" would be living apart as a result of a valid separation agreement entered into because of marital difficulties, or by reason of divorce, or some other estrangement on the part of two people?

Mr. STONE. In answer, an order, for example, in desertion and non-support, wherein a wife is granted a support order for herself and the children, would constitute a legitimate separation. Likewise, perhaps most separation agreements that are legitimate would suffice, but there is a very fine line of distinction as to what becomes collusive.

Mr. A. W. JOHNSON. Then, if it is the legislative intent that living apart must be a bona fide separation as a result of estrangement or a support order or pending divorce, or some other marital difficulty, with that understanding we will go along with the bill.

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. McCANN. Mr. Speaker, I thank the gentleman from McKean, Mr. Johnson.

As everyone in this House knows, H. B. 1595 is the Kerr-Mills program dealing with the aged, and I certainly want the intent to be clearly defined in that field. I hope that the record will show we did agree that was the intent in that section, although it has been brought to my attention, and I guess rightfully so, that when husband and wife have lived that long their chances of separation are not so great when they reach around the age of 65.

I think this intent is very clearly defined, because in the few years of life that they may have they certainly want to be together for the balance of their natural lives.

Mr. Speaker, I ask that every member vote "aye" on House bill 1595.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Cameron, Mr. Tompkins.

Mr. TOMPKINS. Mr. Speaker, I am going to vote for this bill, but I want to make this remark for the record: In trying to clarify the legislative intent of "living apart," in my opinion, you are placing a premium upon elderly people living apart in order to get the increased benefits of this bill.

On the question recurring,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Adams,	Fry,	Lee, A. M.,	Rovansek,
Anderson, J. H.	Fulmer,	Lee, K. B.,	Rubin,
Anderson, S. A.,	Gallagher,	Leonard,	Rudisill,
Arlene,	Gelfand,	Limper,	Rutherford,
Ashton,	George,	Lippincott,	Sakulsky,
Auker,	Gibb,	Long, Wm. Jas.,	Scarcell,
Bachman,	Gibbons,	Long, Wm. Jos.,	Schaaf,
Backenstoe,	Goldstein, J. H.,	Lutty,	Schuster,
Blair,	Goldstein, M. H.,	Magee,	Seltzer,
Boles,	Goodrich,	Manbeck,	Shelton,
Bonner,	Gramlich,	Markley,	Sherman,
Bossert,	Gray,	Marsh,	Shupnik,
Bower,	Greenlee,	Maxwell,	Simmons,
Bowman,	Gremminger,	May,	Slack,
Branca,	Gross,	McCandless,	Snare,
Breth,	Guesman,	McCann,	Stank,
Buchanan,	Guthrie,	McCormack,	Steckel,
Bush,	Hamilton,	McDevitt,	Stimmel,
Capano,	Hankins,	McDonald,	Stiteler,
Capitolo,	Hartley,	McInroy,	Stone,
Cauley,	Haudenshield,	McKeever,	Sullivan, J. A.,
Cianfrani,	Heavey,	McLaughlin,	Sullivan, T. F.,
Cioffi,	Heffner,	McNally,	Taylor,
Clarke,	Helm,	Meholchick,	Thompson,
Comer,	Hocker,	Merry,	Tomasick,
Cooley,	Holl,	Miller,	Tompkins,
Crossin,	Holliday,	Mills,	Trusio,
Curwood,	Holman,	Monroe,	Ujobai,
Davis,	Horst,	Morley,	Varner,
Dengler,	Irvie,	Mullen,	Verona,
Dennison,	Isaacs,	Murphy,	Wall,
Donaldson,	Jenkins,	Musto,	Walsh,
Dougherty,	Jim,	Needham,	Wargo,
Doughten,	Johnson, A. W.,	O'Dell,	Weldner,
Down,	Johnson, E. P.,	O'Donnell, J. A.,	Welsh,
Edwards,	Jones,	O'Donnell, J. P.,	Wescott,
Ellberg,	Kamyk,	Ogilvie,	Whittaker,
Elvey,	Keiser,	Parlante,	Willard,
Eshleman,	Kelly,	Pashley,	Willaredt,
Esler,	Kernaghan,	Perry,	Williams, A. D.,
Ewing,	King,	Petrosky,	Williams, E. S.,
Farabaugh,	Kistler,	Polaski,	Wilt,
Fetterolf,	Klein,	Polen,	Wood,
Filo,	Knecht,	Prendergast,	Worley,
Fineman,	Kooker,	Price,	Wynd,
Flynn,	Kornick,	Pursley,	Yetter,
Foerster,	Korns,	Reibman,	Zember,
Foor,	Kramer,	Reidenbach,	Zimmerman,
Fox,	Lamb,	Renwick,	Andrews,
Frascella,	Lawson,	Riley,	Speaker

NAYS—0

NOT VOTING—11

Eshback,	Kessler,	Murray,	Royer,
Galley,	Mihm,	Odorisio,	Strausser,
Henzel,	Munley,	Piper,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 201, entitled:

An Act amending the act of June 24, 1937 (P. L. 1917), entitled "County Institution District Law" further regulating the powers and duties of local authorities as to persons in foster homes and as to children and youth and further regulating payments for care.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Adams,	Fry,	Lee, A. M.,	Riley,
Anderson, J. H.,	Fulmer,	Lee, K. B.,	Rovansek,
Anderson, S. A.,	Gallagher,	Leonard,	Rubin,
Arlene,	Gelfand,	Limper,	Rudisill,
Ashton,	George,	Lippincott,	Rutherford,
Auker,	Gibb,	Long, Wm. Jas.,	Sakulsky,
Bachman,	Gibbons,	Long, Wm. Jos.,	Scarcell,
Backenstoe,	Goldstein, J. H.,	Lutty,	Schaaf,
Blair,	Goldstein, M. H.,	Magee,	Schuster,
Boles,	Goodrich,	Manbeck,	Seltzer,
Bonner,	Gramlich,	Markley,	Shelton,
Bossert,	Gray,	Marsh,	Sherman,
Bower,	Greenlee,	Maxwell,	Simmons,
Bowman,	Gremminger,	May,	Shupnik,
Branca,	Gross,	McCandless,	Slack,
Breth,	Guesman,	McCann,	Snare,
Buchanan,	Guthrie,	McCormack,	Stank,
Bush,	Hamilton,	McDevitt,	Steckel,
Capano,	Hankins,	McDonald,	Stimmel,
Capitolo,	Hartley,	McInroy,	Stiteler,
Caulley,	Haudenschild,	McKeever,	Stone,
Cianfrani,	Heavey,	McLaughlin,	Sullivan, J. A.,
Cioffi,	Heffner,	McNally,	Sullivan, T. F.,
Clarke,	Helm,	Meholchick,	Taylor,
Comer,	Henzel,	Merry,	Thompson,
Cooley,	Hocker,	Miller,	Tomasck,
Crossin,	Holl,	Mills,	Tompkins,
Curwood,	Holliday,	Monroe,	Trusio,
Davis,	Holman,	Morley,	Ujobai,
Dengler,	Horst,	Mullen,	Varnier,
Dennison,	Irvie,	Murphy,	Verona,
Donaldson,	Isaacs,	Murray,	Wall,
Dougherty,	Jenkins,	Musto,	Walsh,
Doughten,	Jim,	Needham,	Wargo,
Down,	Johnson, A. W.,	O'Dell,	Weidner,
Edwards,	Johnson, R. P.,	O'Donnell, J. A.,	Webb,
Eilberg,	Jones,	O'Donnell, J. P.,	Wescott,
Elvey,	Kamyk,	Ogilvie,	Whittaker,
Eshback,	Keiser,	Parlante,	Willaredt,
Eshleman,	Kelly,	Pashley,	Willard,
Esler,	Kernaghan,	Perry,	Williams, A. D.,
Ewing,	King,	Petrosky,	Williams, E. S.,
Farabaugh,	Kistler,	Polaski,	Wilt,
Fetterolf,	Klein,	Polen,	Wood,
Filo,	Knecht,	Prendergast,	Worley,
Fineman,	Koeker,	Price,	Wynd,
Flynn,	Kornick,	Pursley,	Yetter,
Foerster,	Korns,	Reibman,	Zember,
Foor,	Kramer,	Reidenbach,	Zimmerman,
Fox,	Lamb,	Renwick,	Andrews,
Frascella,	Lawson,		Speaker

NAYS—0

NOT VOTING—8

Galley,	Mihm,	Odoriso,	Royer,
Kessler,	Munley,	Piper,	Strausser,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Montgomery, Mr. Fry.

Mr. FRY. Mr. Speaker, I was not sent up here from Montgomery County to watch my colleagues, but I notice that Mrs. Henzel has not been in her seat for some time, although her vote is recorded.

The SPEAKER. The lady is in the hall of the House.

Mr. FRY. She was not there when she voted.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 200, entitled:

An Act amending the act of June 24, 1937 (P. L. 2051), entitled "Public Assistance Law" making eligible for assistance certain persons in public medical institutions and regulating obligations for and payment of certain funds.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMENDED

Mr. STONE. Mr. Speaker, I move that this bill be recommended to the Committee on Welfare.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1683, entitled:

An Act creating the Second Injury Reserve and Rehabilitation Fund in the Department of Labor and Industry requiring payments by the State Workmen's Insurance Fund and certain insurance carriers * * * and prescribing limitations.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—184

Adams,	Fulmer,	Lee, K. B.,	Renwick,
Anderson, J. H.,	Gallagher,	Leonard,	Riley,
Anderson, S. A.,	Gelfand,	Limper,	Rovansek,
Arlene,	Gibb,	Lippincott,	Rubin,
Ashton,	Gibbons,	Long, Wm. Jas.,	Rudisill,
Auker,	Goldstein, J. H.,	Long, Wm. Jos.,	Rutherford,
Blair,	Goldstein, M. H.,	Lutty,	Sakulsky,
Boles,	Greenlee,	Manbeck,	Scarcell,
Bonner,	Gremminger,	Markley,	Schaaf,
Bossert,	Gross,	Marsh,	Schuster,
Bower,	Guesman,	Maxwell,	Seltzer,
Bowman,	Guthrie,	May,	Shelton,
Branca,	Hamilton,	McCandless,	Sherman,
Breth,	Hankins,	McCann,	Shupnik,
Buchanan,	Hartley,	McCormack,	Slack,
Bush,	Heavey,	McDevitt,	Snare,
Capano,	Heffner,	McDonald,	Stank,
Capitolo,	Helm,	McInroy,	Steckel,
Caulley,	Henzel,	McKeever,	Stone,
Cianfrani,	Hocker,	McLaughlin,	Sullivan, J. A.,
Cioffi,	Holl,	McNally,	Sullivan, T. F.,
Clarke,	Holliday,	Meholchick,	Taylor,
Comer,	Holman,	Merry,	Thompson,
Cooley,	Horst,	Miller,	Tomasck,
Crossin,	Irvie,	Mills,	Tompkins,
Curwood,	Isaacs,	Monroe,	Trusio,
Davis,	Jenkins,	Morley,	Ujobai,
Dengler,	Jim,	Mullen,	Varnier,

Dennison, Dougherty, Doughten, Down, Edwards, Ellberg, Elvey, Eshleman, Esler, Ewing, Farabaugh, Fllo, Fineman, Flynn, Foerster, Fox, Frascella, Fry,	Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kelser, Kelly, Kernaghan, King, Kistler, Klein, Knecht, Kooker, Kornick, Korns, Kramer, Lamb, Lawson, Lee, A. M.,	Murphy, Murray, Musto, Needham, O'Donnell, J. A., O'Donnell, J. P., Ogilvie, Parlante, Pashley, Perry, Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach,	Verona, Wall, Walsh, Wargo, Weidner, Welsh, Whittaker, Willard, Willaredt, Williams, A. D., Williams, E. S., Wood, Worley, Wynd, Yetter, Zember, Zimmerman, Andrews, Speaker
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NAYS—15

Backenstoe, Donaldson, Fetterolf, Foor,	George, Goodrich, Gramlich, Haudenshield,	Magee, O'Dell, Simmons, Stimmel,
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NOT VOTING—11

Bachman, Eshback, Galley,	Gray, Kessler, Mihm,	Munley, Odorisio, Piper,	Royer, Strausser,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1727, entitled:

An Act amending the "Banking Code" approved May 15, 1933 (P. L. 624), increasing the unsecured amount a bank bank and trust company or trust company may loan its salaried officers or employees or those of affiliated banking institutions.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—192

Adams, Anderson, J. H., Anderson, S. A., Arlene, Ashton, Bachman, Backenstoe, Blair, Boles, Bonner, Bossert, Bower, Bowman, Branca, Breth, Buchanan, Bush, Capano, Capitolo, Cauley, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood,	Gallagher, Gelfand, George, Gibb, Gibbons, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Gray, Greenlee, Gremminger, Gross, Guesman, Guthrie, Hamilton, Hankins, Hartley, Haudenshield, Heavey, Heffner, Helm, Henzel, Hocker, Holl, Holliday,	Lee, A. M., Lee, K. B., Leonard, Limper, Lippincott, Long, Wm. Jas., Long, Wm. Jos., Lutty, Magee, Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McCormack, McDevitt, McDonald, McInroy, McKeever, McLaughlin, McNally, Meholchick, Merry, Miller,	Renwick, Riley, Rovanssek, Rubin, Rudisill, Rutherford, Sakulsky, Scarcell, SchAAF, Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Slack, Snare, Stank, Steckel, Stimmel, Stiteler, Stone, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson,
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Davis, Dengler, Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Ellberg, Elvey, Eshleman, Esler, Ewing, Fetterolf, Fllo, Fineman, Flynn, Foerster, Foor, Frascella, Fry,	Holman, Horst, Irvis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kelser, Kelly, Kernaghan, King, Kistler, Knecht, Kooker, Kornick, Korns, Kramer, Lamb, Lawson,	Mills, Monroe, Morley, Mullen, Murphy, Murray, Musto, Needham, O'Dell, O'Donnell, J. A., Ogilvie, Parlante, Pashley, Perry, Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach,	Tomascik, Tompkins, Trusio, Ujobal, Varner, Verona, Weidner, Wall, Wargo, Welsh, Wescott, Whittaker, Willard, Williams, A. D., Williams, E. S., Wilt, Wood, Worley, Wynd, Yetter, Zember, Zimmerman,
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NAYS—7

Auker, Cianfrani,	Farabaugh, Fulmer,	Klein, O'Donnell, J. P.,	Andrews, Speaker
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NOT VOTING—11

Eshback, Galley, Kessler,	Mihm, Munley, Odorisio,	Piper, Royer, Strausser,	Walsh, Willaredt,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1781, entitled:

An Act amending the act of July 31, 1941 (P. L. 605), entitled "An act relating to the summoning and service of jurors (except grand jurors) in the civil and criminal courts of the several counties of the Commonwealth except counties of the first and second class" extending the provisions to counties of the first class.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—196

Adams, Anderson, J. H., Anderson, S. A., Arlene, Ashton, Auker, Backenstoe, Blair, Boles, Bonner, Bossert, Bower, Bowman, Branca, Breth, Buchanan, Bush, Capano, Capitolo, Cauley, Cioffi, Clarke, Comer, Cooley,	Gallagher, Gelfand, George, Gibb, Gibbons, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Gray, Greenlee, Gremminger, Gross, Guesman, Guthrie, Hamilton, Hankins, Hartley, Haudenshield, Heavey, Heffner, Helm, Henzel, Hocker,	Lee, A. M., Lee, K. B., Leonard, Limper, Lippincott, Long, Wm. Jas., Long, Wm. Jos., Lutty, Magee, Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McCormack, McDevitt, McDonald, McInroy, McKeever, McLaughlin, McNally, Meholchick,	Riley, Rovanssek, Rubin, Rudisill, Rutherford, Sakulsky, Scarcell, SchAAF, Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Slack, Snare, Stank, Steckel, Stimmel, Stiteler, Stone, Sullivan, J. A., Sullivan, T. F., Taylor,
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Crossin, Curwood, Davis, Dengler, Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Ellberg, Elvey, Eshleman, Esler, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Flynn, Foerster, Fox, Frascella, Fry, Fulmer,	Holl, Holliday, Holman, Horst, Irvis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kelser, Kelly, Kernaghan, King, Kistler, Klein, Knecht, Kooker, Kornick, Korns, Kramer, Lamb, Lawson,	Merry, Miller, Mills, Monroe, Morley, Mullen, Murphy, Murray, Musto, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Parlante, Pashley, Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick,	Thompson, Tompkins, Trusio, Ujobai, Varner, Verona, Wall, Walsh, Wargo, Weldner, Welsh, Wescott, Whittaker, Ogilvie, Willard, Willaredt, Williams, A. D., Williams, E. S., Wilt, Wood, Worley, Wynd, Yetter, Zember, Zimmerman, Andrews,
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Speaker

NAYS—1

Cianfrani,

NOT VOTING—13

Bachman Eshback, Foor, Galley,	Kessler, Mihm, Munley,	Odoristo, Perry, Piper,	Royer, Strausser, Tomascik,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Mr. FOOR. Mr. Speaker, I am listed as not voting on House bill 1781. I was present in the hall of the House at that time and felt that I had voted on that bill. However, since I am listed as not voting on that bill, I should like it to appear on the record that I be recorded as voting "aye" on House bill 1781.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1796, entitled:

An Act amending the act of July 7, 1955 (P. L. 258), entitled "An act providing for anthracite mine drainage contingent on Federal aid and making an appropriation" removing certain restrictions.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

On the question,

Will the House agree to the motion?

The SPEAKER pro tempore. Does the minority leader desire to be recognized?

Mr. A. W. JOHNSON. May I interrogate the majority leader on this recommitment?

The SPEAKER pro tempore. Will the majority leader permit himself to be interrogated?

Mr. McCANN. I think that the purpose—

The SPEAKER pro tempore. The motion before the House is to recommit.

Mr. A. W. JOHNSON. I would like to ask the gentleman the purpose of the motion to recommit?

The SPEAKER pro tempore. Will the gentleman permit himself to be interrogated?

Mr. McCANN. Mr. Speaker, I shall and I will be most pleased to answer.

I received notice from the Appropriations Committee when they checked their calendar this morning that 1796, if you will check the bill, calls for the Commonwealth of Pennsylvania to match money in the bill. We have not made any provision and an appropriation must properly be made, whatever this amount may be, dealing with 1796. I was not aware of that.

Mr. A. W. JOHNSON. In other words, it costs money and, therefore, it is going back to committee for study?

Mr. McCANN. It is going back to the Appropriations Committee. It came out of the Rules Committee.

Mr. A. W. JOHNSON. That is right. All right.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 528, entitled:

An Act requiring funeral directors to notify the voters registration commission upon the burial of any person over twenty-one years of age and providing penalties.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Rules.

The motion was agreed to.

ANNOUNCEMENT

Mr. McCANN. Mr. Speaker, I will at this time mention two items. The Committee on Welfare has asked for a meeting, and we will also check with the minority leader before we make the motion to break for lunch and caucus and return to the House, because this afternoon we have some other very important legislation that we want to debate and vote on.

We ask that permission be granted the Committee on Welfare for a meeting in the room to the left of the rostrum.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. STONE asked and obtained permission for the Committee on Welfare to meet during the session of the House.

CAUCUSES

Mr. McCANN. Mr. Speaker, before they leave, I will say to the Democratic members they may break for a 30-minute lunch. There is no one else in the cafeteria. Then we will caucus promptly in a half hour from now. Bring your House calendars with you to the caucus.

Mr. A. W. JOHNSON. What will be the duration of the caucus, Mr. Speaker?

Mr. McCANN. One hour. Three-quarters of an hour will cover it easily.

Mr. A. W. JOHNSON. Mr. Speaker, we on the Republican side also will have our lunch for one-half hour and caucus for approximately the same period of time.

BILLS INTRODUCED AND REFERRED

By Messrs. KAMYK (By Request), LEONARD
(By Request), M. H. GOLDSTEIN and
HAUDENSHIELD. HOUSE BILL No. 1813.

An Act repealing section 663, act of March 10, 1949 (P. L. 30), known as the "Public School Code of 1949," abolishing the levy and assessment of per capita taxes by school districts of the first class having a population of less than one million, five hundred thousand persons; and providing for the collection of due and delinquent taxes.

Referred to the Committee on Cities—Counties Second and Second Class A.

By Messrs. KAMYK (By Request), LEONARD
(By Request), M. H. GOLDSTEIN and
HAUDENSHIELD. HOUSE BILL No. 1814.

An Act imposing a tax for general public school purposes in school districts of the first class A on salaries, wages, commissions and other compensation earned by residents thereof, and on the net profits earned from businesses, professions or other activities conducted by residents thereof; * * *.

Referred to the Committee on Cities—Counties Second and Second Class A.

By Messrs. FOERSTER and McLAUGHLIN.
HOUSE BILL No. 1815.

An Act imposing a tax for general public school purposes in school districts of the first class A on unearned income consisting of income from interest, dividends, rents and royalties, and net capital gain; * * *.

Referred to the Committee on Cities—Counties Second and Second Class A.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 295.

An Act fixing the fees of the prothonotaries in counties of the fourth, fifth, sixth, seventh and eighth class fixing the time when they are to be paid and the person liable for payment and imposing powers and duties on the prothonotaries their deputies and clerks.

Referred to the Committee on Counties.

SENATE BILL No. 342.

An Act providing for the certification by the Secretary of Health of operators in responsible charge of water supply systems and water treatment plants specifying the classifications of water supply systems and water treatment plants and the grades of certificates for operators thereof requiring that only certified operators may operate certain plants and systems providing for revocation and suspension of certificates and providing for penalties and civil relief.

Referred to the Committee on Public Health and Sanitation.

SENATE BILL No. 343.

An Act amending the act of September 26, 1951 (P. L. 1539), entitled "The Analytical-Biochemical-Biological Laboratory Act" removing certain exemptions and providing for rules and regulations.

Referred to the Committee on Public Health and Sanitation.

SENATE BILL No. 435.

An Act amending the act of April 12, 1951 (P. L. 90), entitled "Liquor Code" authorizing issuance of liquor licenses in lieu of retail dispenser's licenses to clubs.

Referred to the Committee on Liquor Control.

SENATE BILL No. 498.

An Act amending the act of June 24, 1937 (P. L. 2051), entitled "Public Assistance Law" changing the definition of dependent children for assistance purposes with limitations.

Referred to the Committee on Welfare.

SENATE BILL No. 531.

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929" providing for the medical and surgical care of inmates of State institutions in State-aided hospitals and for reimbursement to the State for the cost thereof.

Referred to the Committee on Rules.

SENATE BILL No. 614.

An Act amending the act of June 26, 1931 (P. L. 1379), entitled "Third Class County Board Assessment Law" authorizing counties subject to the act to elect to continue thereunder.

Referred to the Committee on Counties.

SENATE BILL No. 664.

An Act amending the act of June 23, 1931 (P. L. 932), entitled "The Third Class City Code" further regulating hours of service of firemen.

Referred to the Committee on Cities—Third Class.

SENATE BILL No. 716.

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" clarifying and changing provisions relating to social studies curriculum.

Referred to the Committee on Education.

SENATE BILL No. 760.

An Act amending the act of June 25, 1947 (P. L. 1145), entitled as amended "Local Tax Enabling Law" providing for an official register of earned income tax levies and relieving employers from reporting the earnings and withholding taxes of their employees with respect to levies not listed in the register and relieving employers from liability when employees misinform the employers as to their place of residence.

Referred to the Committee on State Government.

SENATE BILL No. 789.

An Act amending the act of May 15, 1933 (P. L. 624), entitled as amended "Banking Code" authorizing banks and bank and trust companies to purchase shares of capital in certain corporations or associations engaged in financial operations subject to conditions and further providing for the acquisition in whole or in part of mortgage loans by a bank or bank and trust company.

Referred to the Committee on Banking and Building and Loan Associations.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 929.

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), deleting certain limitations with respect to aids and services to the blind.

HOUSE BILL No. 932.

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" providing for voting for mergers where some of the districts are already merged.

HOUSE BILL No. 973.

An Act amending the "Estate Tax Apportionment Act of 1951" approved August 24, 1951 (P. L. 1405), authorizing the court to assess certain expenses against non-testamentary property or interests.

HOUSE BILL No. 979.

An Act amending the "Incompetents' Estates Act of 1955" approved February 28, 1956 (P. L. 1154), including the person of an incompetent within the provisions of the act and providing for appointment of a coguardian or succeeding guardian.

HOUSE BILL No. 1077.

An Act amending "The Mental Health Act of 1951" approved June 12, 1951 (P. L. 533), authorizing superintendents to exercise discretion by and with the advice of certain other physicians or surgeons with respect to the performance of surgery on certain patients.

HOUSE BILL No. 1165.

An Act amending the act of April 12, 1951 (P. L. 90), entitled "Liquor Code," authorizing issuance of special temporary permits for the retail sale of malt or brewed beverages at certain sporting events under certain conditions.

HOUSE BILL No. 1545.

An Act authorizing the transfer of real property in the City of Scranton, Lackawanna County, from the Department of Highways to the Department of Public Welfare for use of Clarks Summit State Hospital.

SENATE BILL No. 297.

An Act amending the act of June 25, 1947 (P. L. 956), entitled "An act to ascertain and appoint the fees to be received by the clerks of the courts of oyer and terminer and quarter sessions of the Commonwealth in counties of the third, fourth, fifth, sixth, seventh, and eighth classes"; increasing certain fees and making certain editorial corrections.

SENATE BILL No. 350.

An Act to create a regional agency by intergovernmental compact for the planning, conservation, utilization, development, management and control of the water and related natural resources of the Delaware River Basin for the improvement of navigation, reduction of flood damage, regulation of water quality, control of pollution, development of water supply, hydroelectric energy, fish and wildlife habitat, and public recreational facilities and other purposes and defining the functions, powers and duties of such agency.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

REPORTS FROM COMMITTEE

Mrs. S. A. ANDERSON from the Committee on Welfare, reported as amended, House bill No. 701, entitled:

An Act amending the act of April 4, 1925 (P. L. 127), entitled "An act relating to adoption," authorizing approved agencies or institutions to charge for services rendered to persons taking children into their homes for the purpose of adoption, and providing for the approval of such charges by the Department of Public Welfare.

Mr. FRY from the Committee on Highways, reported as committed, House bill No. 471, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), further regulating the removal of wrecked vehicles and tractors from the highway.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 471, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), further regulating the removal of wrecked vehicles and tractors from the highway.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

RECESS

The SPEAKER pro tempore. Without objection, the Chair will declare a recess of one and one-half hours.

The Chair hears none and a recess is declared.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR

The SPEAKER. What is the pleasure of the majority leader?

Mr. McCANN. Mr. Speaker, I call up on page 5 of the calendar, bills on final passage recalled from the Governor, House bill No. 1186, printer's No. 2412.

BILL ON FINAL PASSAGE RECALLED
FROM THE GOVERNOR

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1186, entitled:

An Act amending the act of June 28, 1935 (P. L. 477), "providing for the payment of the salary, medical and hospital expenses of members of the State Police Force and of policemen, firemen and park guards by the Commonwealth of Pennsylvania ***"; extending the provisions thereof to members of the Delaware River Port Authority Police.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—203

Adams,	Fry,	Lee, K. B.,	Riley,
Anderson, J. H.,	Fulmer,	Leonard,	Rovansek,
Anderson, S. A.,	Galley,	Limper,	Royer,
Arlene,	Gallagher,	Lippincott,	Rubin,
Ashton,	George,	Long, Wm. Jas.,	Rudisill,

Auker,	Gibb,	Long, Wm. Jos.,	Rutherford,
Bachman,	Gibbons,	Lutty,	Sakulsky,
Backenstoe,	Goldstein, J. H.,	Magee,	Scarcelli,
Blair,	Goldstein, M. H.,	Manbeck,	Schaaf,
Boles,	Goodrich,	Markley,	Schuster,
Bonner,	Gramlich,	Marsh,	Seltzer,
Bossert,	Greenlee,	Maxwell,	Shelton,
Bower,	Gremminger,	May,	Sherman,
Bowman,	Gross,	McCandless,	Shupnik,
Branca,	Guesman,	McCann,	Simmons,
Breth,	Guthrie,	McCormack,	Slack,
Buchanan,	Hamilton,	McDevitt,	Snare,
Bush,	Hankins,	McDonald,	Stank,
Capano,	Hartley,	McInroy,	Steckel,
Capitolo,	Haudenshield,	McKeever,	Stimmel,
Caulley,	Heavey,	McLaughlin,	Stiteler,
Cianfrani,	Heffner,	McNally,	Stone,
Cioffi,	Helm,	Meholchick,	Sullivan, T. F.,
Clarke,	Henzel,	Merry,	Taylor,
Comer,	Hocker,	Miller,	Thompson,
Cooley,	Holl,	Mills,	Tomasck,
Crossin,	Holman,	Monroe,	Tompkins,
Curwood,	Holliday,	Morley,	Trusio,
Davis,	Horst,	Mullen,	Ujobai,
Dengler,	Irviss,	Murphy,	Varner,
Dennison,	Isaacs,	Murray,	Verona,
Donaldson,	Jenkins,	Musto,	Wall,
Dougherty,	Jim,	Needham,	Walsh,
Doughten,	Johnson, A. W.,	O'Dell,	Wargo,
Down,	Johnson, R. P.,	O'Donnell, J. A.,	Weidner,
Edwards,	Jones,	O'Donnell, J. P.,	Welsh,
Eilberg,	Kamyk,	Odorisio,	Wescott,
Elvey,	Kelser,	Oglivie,	Whittaker,
Eshback,	Kelly,	Parlante,	Willard,
Eshleman,	Kernaghan,	Pashley,	Willaredt,
Esler,	King,	Perry,	Williams, A. D.,
Ewing,	Kistler,	Petrosky,	Williams, E. S.,
Farabaugh,	Klein,	Piper,	Wilt,
Fetterolf,	Knecht,	Polaski,	Wood,
Filo,	Kooker,	Polen,	Worley,
Fineman,	Kornick,	Prendergast,	Wynd,
Flynn,	Korns,	Price,	Yetter,
Foerster,	Kramer,	Pursley,	Zember,
Foor,	Lamb,	Reibman,	Zimmerman,
Fox,	Lawson,	Reidenbach,	Andrews,
Frascella,	Lee, A. M.,	Renwick,	Speaker

NAYS—0

NOT VOTING—7

Gelfand,	Kessler,	Munley,	Sullivan, J. A.,
Gray,	Mihm,	Strausser,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 459, entitled:

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333), providing for notice to persons nominated by write-in votes.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—199

Adams,	Frascella,	Lee, A. M.,	Renwick,
Anderson, J. H.,	Fry,	Lee, K. B.,	Riley,
Anderson, S. A.,	Fulmer,	Leonard,	Rovansek,
Arlene,	Galley,	Limper,	Royer,
Ashton,	Gallagher,	Lippincott,	Rubin,
Auker,	George,	Long, Wm. Jas.,	Rudisill,
Bachman,	Gibb,	Long, Wm. Jos.,	Rutherford,
Backenstoe,	Gibbons,	Lutty,	Sakulsky,
Blair,	Goldstein, J. H.,	Magee,	Scarcelli,

Boles,	Goldstein, M. H.,	Manbeck,	Schaaf,
Bonner,	Goodrich,	Markley,	Schuster,
Bossert,	Gramlich,	Marsh,	Seltzer,
Bower,	Greenlee,	Maxwell,	Shelton,
Bowman,	Gremminger,	McCandless,	Sherman,
Branca,	Gross,	McCann,	Shupnik,
Breth,	Guesman,	McCormack,	Simmons,
Buchanan,	Guthrie,	McDevitt,	Slack,
Bush,	Hamilton,	McDonald,	Snare,
Capano,	Hankins,	McInroy,	Stank,
Capitolo,	Hartley,	McKeever,	Stimmel,
Caulley,	Heavey,	McLaughlin,	Stiteler,
Cianfrani,	Heffner,	McNally,	Stone,
Cioffi,	Helm,	Meholchick,	Sullivan, T. F.,
Clarke,	Henzel,	Merry,	Taylor,
Comer,	Hocker,	Miller,	Thompson,
Cooley,	Holl,	Mills,	Tomasck,
Crossin,	Holliday,	Monroe,	Tompkins,
Curwood,	Holman,	Morley,	Ujobai,
Davis,	Horst,	Mullen,	Varner,
Dengler,	Irviss,	Murphy,	Verona,
Dennison,	Isaacs,	Murray,	Wall,
Donaldson,	Jenkins,	Musto,	Walsh,
Dougherty,	Jim,	Needham,	Wargo,
Doughten,	Johnson, A. W.,	O'Dell,	Weidner,
Down,	Johnson, R. P.,	O'Donnell, J. A.,	Welsh,
Edwards,	Jones,	O'Donnell, J. P.,	Wescott,
Eilberg,	Kamyk,	Odorisio,	Whittaker,
Elvey,	Kelser,	Oglivie,	Willard,
Eshback,	Kelly,	Parlante,	Willaredt,
Eshleman,	Kernaghan,	Pashley,	Williams, A. D.,
Esler,	King,	Perry,	Williams, E. S.,
Ewing,	Kistler,	Petrosky,	Wilt,
Farabaugh,	Klein,	Piper,	Wood,
Fetterolf,	Knecht,	Polaski,	Worley,
Filo,	Kooker,	Polen,	Wynd,
Fineman,	Kornick,	Prendergast,	Yetter,
Flynn,	Korns,	Price,	Zember,
Foerster,	Kramer,	Pursley,	Zimmerman,
Foor,	Lamb,	Reibman,	Andrews,
Fox,	Lawson,	Reidenbach,	Speaker

NAYS—0

NOT VOTING—11

Gelfand,	Kessler,	Munley,	Sullivan, J. A.,
Gray,	May,	Steckel,	Trusio,
Haudenshield,	Mihm,	Strausser,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1307, entitled:

An Act amending the "Chiropractic Act of 1956" approved March 2, 1956 (P. L. 1206), providing for biennial renewal of registration; changing fees; and requiring attendance at biennial educational conferences as a condition of renewal of registration.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—188

Adams,	Fry,	Lawson,	Riley,
Anderson, J. H.,	Fulmer,	Lee, A. M.,	Rovansek,
Anderson, S. A.,	Gallagher,	Lee, K. B.,	Royer,
Arlene,	George,	Leonard,	Rubin,
Ashton,	Gibb,	Limper,	Rudisill,
Auker,	Gibbons,	Lippincott,	Rutherford,
Bachman,	Goldstein, J. H.,	Long, Wm. Jas.,	Sakulsky,
Backenstoe,	Goodrich,	Long, Wm. Jos.,	Scarcelli,
Blair,	Gramlich,	Lutty,	Schaaf,
Boles,	Gray,	Magee,	Schuster,
Bonner,	Greenlee,	Manbeck,	Seltzer,
Bossert,	Gremminger,	Markley,	Shelton,
Bower,	Gross,	Marsh,	Shupnik,

Bowman,	Guesman,	Maxwell,	Simmons,
Branca,	Guthrie,	May,	Slack,
Breth,	Hamilton,	McCandless,	Snare,
Buchanan,	Hankins,	McCann,	Stank,
Bush,	Hartley,	McCormack,	Steckel,
Capano,	Haudenshield,	McDevitt,	Stimmel,
Capitolo,	Heavey,	McDonald,	Stiteler,
Cauley,	Heffner,	McInroy,	Stone,
Cianfrani,	Helm,	McKeever,	Taylor,
Cioffi,	Henzel,	McLaughlin,	Thompson,
Clarke,	Hocker,	Merry,	Tomascik,
Comer,	Holl,	Miller,	Trusto,
Cooley,	Holliday,	Mills,	Ujobai,
Crossin,	Holman,	Monroe,	Varnier,
Curwood,	Horst,	Morley,	Verona,
Davis,	Irvins,	Mullen,	Wall,
Dengler,	Jenkins,	Murray,	Walsh,
Dennison,	Jim,	Musto,	Wargo,
Donaldson,	Johnson, A. W.,	Needham,	Weidner,
Dougherty,	Johnson, R. P.,	O'Dell,	Welsh,
Doughten,	Jones,	O'Donnell, J. A.,	Wescott,
Down,	Kamyk,	O'Donnell, J. P.,	Whittaker,
Ellberg,	Kelser,	Odorisio,	Willard,
Elvey,	Kelly,	Ogilvie,	Willaredt,
Eshback,	Kernaghan,	Parlante,	Williams, A. D.,
Esler,	King,	Perry,	Williams, E. S.,
Ewing,	Kistler,	Petrosky,	Wilt,
Fetterolf,	Klein,	Piper,	Wood,
Filo,	Knecht,	Polaski,	Worley,
Fineman,	Kooker,	Polen,	Wynd,
Flynn,	Kornick,	Prendergast,	Yetter,
Foerster,	Korns,	Price,	Zember,
Foor,	Kramer,	Pursley,	Zimmerman,
Frascella,	Lamb,	Reibman,	Andrews,

Speaker

NAYS—14

Edwards,	Galley,	Murphy,	Sherman,
Eshleman,	Goldstein, M. H.,	Pashley,	Sullivan, T. F.,
Farabaugh,	Isaacs,	Renwick,	Tompkins,
Fox,	McNally,		

NOT VOTING—8

Gelfand,	Meholchick,	Munley,	Strausser,
Kessler,	Mihm,	Reidenbach,	Sullivan, J. A.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

QUESTION OF PERSONAL PRIVILEGE

The SPEAKER. For what purpose does the gentleman from Berks, Mr. Piper, rise?

Mr. PIPER. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. PIPER. Mr. Speaker, for the first few days of the session this week it was necessary for me to be absent from the House. Due to a misunderstanding, a fellow member of the House who had agreed to obtain an official leave of absence for me failed to do so. Because of this misunderstanding, I have been the recipient of what I consider unfair treatment in the press.

As vice president of the Pennsylvania Magistrates Association and vice chairman of the legislative committee of this association, it was necessary for me to attend this conference in Easton, Pennsylvania, Sunday, June 25, Monday, June 26, and Tuesday, June 27.

I now request that the Legislative Journal show why I was absent from the sessions on Monday and Tuesday, and that I have returned to the hall of the House as of today.

The SPEAKER. The remarks of the gentleman will be spread upon the record.

For what purpose does the gentleman from Delaware, Mr. Isaacs, rise?

Mr. ISAACS. To speak on the comments of the gentleman from Berks, Mr. Piper, on personal privilege, if I may, Mr. Speaker.

I am the House member whom Mr. Piper asked on Sunday evening to mention his absence to our minority whip, Mr. Tompkins. The only thing I can tell you, Mr. Speaker, is that the Lord of Hosts was with me not, so I forgot, so I forgot. I apologize and I congratulate the gentleman on being elected a vice president of the Pennsylvania Magistrates Association.

The SPEAKER. The remarks of the gentleman will be spread upon the record.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1404, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), changing the penalty provisions for collection of per capita taxes in school districts of the first class, less than 1,500,000 population.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—198

Adams,	Fulmer,	Lee, K. B.,	Rovanssek,
Anderson, J. H.,	Galley,	Leonard,	Royer,
Anderson, S. A.,	Gallagher,	Limper,	Rubin,
Arlene,	Gelfand,	Lippincott,	Rudisill,
Ashton,	George,	Long, Wm. Jas.,	Rutherford,
Bachman,	Gibb,	Long, Wm. Jos.,	Sakulsky,
Backenstoe,	Gibbons,	Lutty,	Scarcell,
Blair,	Goldstein, J. H.,	Magee,	Schaaf,
Boles,	Goldstein, M. H.,	Manbeck,	Schuster,
Bonner,	Goodrich,	Markley,	Seltzer,
Bossert,	Gramlich,	Marsh,	Shelton,
Bower,	Gray,	Maxwell,	Sherman,
Bowman,	Greenlee,	May,	Shupnik,
Branca,	Gremminger,	McCandless,	Simmons,
Breth,	Gross,	McCann,	Slack,
Buchanan,	Guesman,	McCormack,	Snare,
Bush,	Guthrie,	McDonald,	Stank,
Capano,	Hamilton,	McInroy,	Steckel,
Capitolo,	Hankins,	McKeever,	Stimmel,
Cauley,	Hartley,	McLaughlin,	Stiteler,
Cianfrani,	Haudenshield,	McNally,	Stone,
Cioffi,	Heavey,	Meholchick,	Sullivan, J. A.,
Clarke,	Heffner,	Merry,	Sullivan, T. F.,
Comer,	Helm,	Mills,	Taylor,
Cooley,	Henzel,	Monroe,	Thompson,
Crossin,	Hocker,	Morley,	Tomascik,
Curwood,	Holl,	Mullen,	Tompkins,
Davis,	Holliday,	Murphy,	Ujobai,
Dengler,	Holman,	Musto,	Varnier,
Dennison,	Horst,	Needham,	Verona,
Donaldson,	Irvins,	O'Dell,	Wall,
Dougherty,	Isaacs,	O'Donnell, J. A.,	Walsh,
Doughten,	Jenkins,	O'Donnell, J. P.,	Wargo,
Down,	Jim,	Odorisio,	Weidner,
Edwards,	Johnson, A. W.,	Ogilvie,	Welsh,
Ellberg,	Johnson, R. P.,	Parlante,	Wescott,
Elvey,	Jones,	Pashley,	Whittaker,
Eshback,	Kamyk,	Perry,	Willard,
Eshleman,	Kelser,	Petrosky,	Willaredt,
Esler,	Kelly,	Piper,	Williams, A. D.,
Ewing,	Kernaghan,	Polaski,	Williams, E. S.,
Fetterolf,	King,	Polen,	Wilt,
Filo,	Kistler,	Prendergast,	Wood,
Fineman,	Klein,	Price,	Worley,
Flynn,	Knecht,	Pursley,	Wynd,
Foerster,	Kooker,	Reibman,	Yetter,
Foor,	Kramer,	Reidenbach,	Zember,
Fox,	Lamb,	Renwick,	Zimmerman,
Frascella,	Lawson,	Riley,	Andrews,
Fry,	Lee, A. M.,		Speaker

NAYS—5

Auker, Korns, Miller, Murray,
Farabaugh,

NOT VOTING—7

Kessler, McDevitt, Munley, Trusio,
Kornick, Mihm, Strausser,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection,

House bill No. 1648, printer's No. 2395,
was passed over at the request of Mr. McCANN.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1746, entitled:

An Act constituting the Secretary of the Commonwealth as the agent for service of process on nonresident persons and foreign associations, partnerships and corporations whose products are listed and sold by Pennsylvania Liquor Stores and who sell malt and brewed beverages to distributors and importing distributors licensed and doing business in this Commonwealth.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—198

Adams,	Fulmer,	Limper,
Anderson, J. H.	Galley,	Lippincott,
Anderson, S. A.,	Gallagher,	Long, Wm. Jas.,
Arlene,	George,	Long, Wm. Jos.,
Ashton,	Gibb,	Magee,
Auker,	Gibbons,	Manbeck,
Bachman,	Goldstein, J. H.,	Markley,
Backenstoe,	Goldstein, M. H.,	Marsh,
Blair,	Goodrich,	Maxwell,
Boles,	Gramlich,	May,
Bonner,	Gray,	McCandless,
Bossert,	Greenlee,	McCann,
Bower,	Gremmlinger,	McCormack,
Bowman,	Gross,	McDevitt,
Branca,	Guesman,	McDonald,
Breth,	Guthrie,	McInroy,
Buchanan,	Hamilton,	McKeever,
Bush,	Hankins,	McNally,
Capano,	Hartley,	Meholchick,
Cauley,	Haudenshield,	Merry,
Cianfrani,	Heffner,	Miller,
Cioffi,	Helm,	Mills,
Clarke,	Heavey,	Monroe,
Comer,	Henzel,	Morley,
Cooley,	Hocker,	Mullen,
Crossin,	Holl,	Murphy,
Curwood,	Holliday,	Murray,
Davis,	Holman,	Musto,
Dengler,	Horst,	Needham,
Dennison,	Irvis,	O'Dell,
Donaldson,	Isaacs,	O'Donnell, J. A.,
Doughten,	Jenkins,	O'Donnell, J. P.,
Down,	Jim,	Odorisio,
Edwards,	Jones,	Ogilvie,
Elberg,	Johnson, R. P.,	Parlante,
Elvey,	Kamyk,	Pashley,
Eshback,	Kelser,	Perry,
Eshleman,	Kelly,	Petrosky,
Esler,	Kernaghan,	Piper,
Ewing,	King,	Polaski,
Farabaugh,	Kistler,	Polen,
Fetterolf,	Klein,	Prendergast,
Filo,	Knecht,	Price,

Fineman,	Kooker,	Pursley,	Worley,
Flynn,	Korns,	Reibman,	Wynd,
Foerster,	Kramer,	Reidenbach,	Yetter,
Foor,	Lamb,	Renwick,	Zember,
Fox,	Lawson,	Riley,	Zimmerman,
Frascella,	Lee, A. M.,	Rovanseck,	Andrews,
Fry,	Lee, K. B.,		Speaker

NAYS—0

NOT VOTING—12

Capitolo,	Johnson, A. W.,	Leonard,	Mihm,
Dougherty,	Kessler,	Lutty,	Munley,
Gelfand,	Kornick,	McLaughlin,	Strausser,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 226, entitled:

An Act abolishing the penalty of death for any offense for which it presently is a penalty and providing life imprisonment as the sole penalty for any offense for which death is presently a penalty.

On the question,

Will the House agree to the bill on third reading?

Mr. FOERSTER asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the clerk for information.

Amend Title, page 1, second line of Title, by inserting after "penalty": except in certain cases

Amend Title, page 1, second line of Title, by inserting after "providing": except in certain cases.

Amend Sec. 1, page 1, line 2, by inserting after "penalty": except murder of a police officer, or of a guard or other personnel at a jail, workhouse, penitentiary or correctional institution.

Amend Sec. 2, page 2, line 2, by inserting after "penalty": except murder of a police officer, or of a guard or any other personnel at a jail, workhouse, penitentiary or correctional institution.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

Mr. FOERSTER. Mr. Speaker, I yield to the gentleman from Clearfield, Mr. Breth.

POINT OF ORDER

The SPEAKER. For what purpose does the gentleman from Clearfield, Mr. Breth, rise?

Mr. BRETH. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state it.

Mr. BRETH. Is there not a rule of this House that you can only speak twice on the same bill or amendment?

The SPEAKER. There is a rule which the Chair has not enforced because it did not seem to be in conformity with the wishes of the majority of the members of the House. Only by permission of the House under the rule can a member be permitted to speak more than twice.

Mr. BRETH. Mr. Speaker, I feel that—

The SPEAKER. At each stage of the bill he can speak twice, and he can speak twice on amendments.

What is the gentleman's point of order?

Mr. BRETH. My point of order, Mr. Speaker, is that in the interest of orderly procedure and to save the time of this House I believe that that rule is a good rule, and in this particular instance on this particular bill and the amendments thereto I will move that the Speaker enforce the rule that you can only speak twice on this particular measure.

The SPEAKER. The Chair will sample the temper of the House. There are a great many of the rules which, in order to serve the convenience of the House, the Chair does not enforce. We have never had the instructions to crack down all along the line according to the rules.

The purpose of the rule on speaking twice, of course, is to give everybody a chance to speak, and the gentleman from Allegheny, Mr. Foerster, has two speeches coming.

Mr. FOERSTER. Thank you, Mr. Speaker.

Mr. Speaker, my amendments came about as a result of a conversation I had with Mr. Maroney, who is the superintendent of the State Correctional Institution at Pittsburgh, formerly called the Western State Penitentiary. It is in my district, and I would say the majority of the employes there, the guards and other personnel, live in my district.

On a visit there several weeks ago, I talked to the warden and the superintendent, and many, many of the guards and Mr. Maroney at this time told me, and I quote, "If you fellows at Harrisburg pass this piece of legislation without putting some safeguards in it for us, you are making clay pigeons out of us."

I would like to say, Mr. Speaker, that is the purpose of these amendments, so that we protect that police officer, protect that guard or other personnel of the penitentiary against murder being committed in a penitentiary or in a jail by an inmate. There are many women working there and, also, the guards themselves are unarmed when they patrol the yard. They have no weapons whatsoever and, if the inmates down there at the penitentiary do not have this threat hanging over their heads, it may be the death penalty if they grab one of these guards and attack and possibly kill him, and there is nothing to deter them from doing this.

Mr. Speaker, I ask everybody on both sides of the House to vote for this amendment.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. McCormack.

Mr. McCORMACK. Mr. Speaker, there is no question but that, if the legislature decides to abolish capital punishment, an amendment such as suggested and now before the House would be proper. But I think, with the amendments submitted yesterday and their subsequent defeat, the House right now is at a stage where they want to determine the overall policy with respect to the retention or the abolition of capital punishment per se, and, therefore, I think that we ought to be able to vote on it today. We are prepared to debate it and, if there is eventually a bill passed by both the House and the Senate to abolish capital punishment, this is something that should be taken up in a separate bill.

Therefore, I suggest that we vote against this amendment.

Mr. TOMPKINS. Mr. Speaker, I should like to interrogate the gentleman from Allegheny, Mr. Foerster, if I may, please.

The SPEAKER. Will the gentleman from Allegheny, Mr. Foerster, permit himself to be interrogated?

Mr. FOERSTER. I shall, Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, I have before me a copy of the proposed amendments. The amendments merely provide to except the murder of these particular officials. It does not, however, say murder committed while in the performance of their duties. Is it the intention of the gentleman that we should exempt these particular people named in this amendment if they are not engaged in the performance of their duties?

Mr. FOERSTER. Mr. Speaker, I would say that in the case of a murder committed in a penitentiary by an inmate upon one of the guards or the personnel, they are certainly on duty while in the penitentiary, and, of course, it is my intention in these amendments to protect the prison personnel, guards, et cetera, while on duty.

I am not an attorney and I told the Legislative Reference Bureau what I wanted, and I think they gave me what I wanted. But, of course, you as my legal counsel over there, if the amendments do not do that, maybe can advise me.

Mr. TOMPKINS. Mr. Speaker, desirable as these amendments might be, I feel like the gentleman from Philadelphia, Mr. McCormack, that this should be dealt with as a matter of a separate bill. These amendments should be defeated and we should be given an opportunity to vote on the general principle of abolition of the death penalty.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. FOERSTER and TOMPKINS and were as follows:

YEAS—72

Auker,	Fox,	Maxwell,	Shupnik,
Backenstoe,	Fulmer,	May,	Simmons,
Bossert,	Galley,	McLaughlin,	Snare,
Bower,	Goldstein, M. H.,	Meholchick,	Stank,
Breth,	Hamilton,	Miller,	Stone,
Bush,	Hankins,	Mills,	Sullivan, T. F.,
Cauley,	Holliday,	Murphy,	Tomasick,
Cianfrani,	Irvins,	Murray,	Trusio,
Cioffi,	Isaacs,	Musto,	Varner,
Clarke,	Kamyk,	Price,	Walsh,
Crossin,	Kernaghan,	Pursley,	Whittaker,
Dengler,	King,	Reibman,	Williams, A. D.,
Dennison,	Klein,	Renwick,	Williams, E. S.,
Doughten,	Kornick,	Rovansek,	Wilt,
Down,	Rudisill,	Rutherford,	Wynd,
Filo,	Lamb,	Schaaf,	Yetter,
Foerster,	Limber,	Schuster,	Zimmerman,
Foor,	Lippincott,		Andrews,
			Speaker

NAYS—130

Adams,	Gibb,	Lawson,	Petrosky,
Anderson, J. H.,	Gibbons,	Lee, A. M.,	Piper,
Anderson, S. A.,	Goldstein, J. H.,	Lee, K. B.,	Polaski,
Arlene,	Goodrich,	Leonard,	Polen,
Ashton,	Gramlich,	Long, Wm. Jas.,	Prendergast,
Bachman,	Gray,	Long, Wm. Jos.,	Reidenbach,
Blair,	Greenlee,	Lutty,	Riley,
Boies,	Gremminger,	Magee,	Royer,
Bonner,	Gross,	Manbeck,	Rubin,
Bowman,	Guesman,	Markley,	Sakulsky,
Branca,	Guthrie,	Marsh,	Scarcell,
Buchanan,	Hartley,	McCandless,	Shelton,
Capano,	Haudenshield,	McCann,	Sherman,
Capitolo,	Heavey,	McCormack,	Slack,
Coomer,	Heffner,	McDevitt,	Steckel,
Cooley,	Helm,	McDonald,	Stimmel,
Davis,	Henzel,	McInroy,	Stittler,
Donaldson,	Hocker,	McKeever,	Sullivan, J. A.,
Dougherty,	Holl,	McNally,	Taylor,
Edwards,	Holman,	Merry,	Thompson,

Ellberg,	Horst,	Monroe,	Tompkins,
Elvey,	Jenkins,	Morley,	Ujobal,
Eshback,	Jim,	Mullen,	Verona,
Eshleman,	Johnson, A. W.,	Needham,	Wall,
Esler,	Johnson, R. P.,	O'Dell,	Wargo,
Ewing,	Jones,	O'Donnell, J. A.,	Weidner,
Farabaugh,	Kelser,	O'Donnell, J. P.,	Welsh,
Fetterolf,	Kelly,	Odoriso,	Wescott,
Flynn,	Kistler,	Ogilvie,	Willard,
Frascella,	Knecht,	Parlante,	Willaredt,
Fry,	Kooker,	Pashley,	Wood,
Gallagher,	Korns,	Perry,	Worley,
George,			Zember,

NOT VOTING—8

Ourwood,	Gelfand,	Mihm,	Seltzer,
Fineman,	Kessler,	Munley,	Strausser,

So the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Sherman.

Mr. SHERMAN. Mr. Speaker, the question before the House on House bill 226, printer's No. 234, is: Shall capital punishment be abolished?

I shall not go into detail, but I had hoped that we would not have to vote on the bill at this stage and that I would have time, of course, to make complete my survey on the subject, which I make on different bills from time to time.

I shall, for the benefit of the House, give what little information I have been able to obtain and that I assure the membership is official.

The information obtained for me has the concurrence of the legislative reference service here in the Commonwealth of Pennsylvania and also was obtained from Honorable James V. Bennett, Director of the Bureau of Prisons, United States Department of Justice.

Statistics show that six States have abolished capital punishment and substituted life imprisonment. Of course, there may have been an additional State, within the past six months or so, that may have come to light. And, quickly, they are Michigan, Rhode Island, Wisconsin, Minnesota, North Dakota and Maine.

For your information, Mr. Speaker, for the past 46 years there has been no State, according to this official record, that has abolished capital punishment. Four of the six States having done so were in the 19th century and only two States in the 20th century, in 1911 and 1915, the last State being North Dakota. Delaware did pass a bill but it is being taken up once again because of some defect in title or otherwise, and therefore Delaware has not been included.

You may state there have been nine other States, but these nine other States have abolished capital punishment—the nine being different States than the other six—for short periods of time, only to restore it usually after a particularly heinous offense or murder.

Those States, to show they are not any of the other six, are not included. So, therefore, you should not say it is a total of 15 that have abolished it. They are Iowa, Kansas, Colorado, Washington, Oregon, South Dakota, Tennessee, which does except rape, Arizona, and Missouri.

Mr. Speaker, it is up to you to pass on the question and that is as far as my survey goes. But under the survey, as

shown, with nine States that had abolished it previously and then restored it, with only six States outstanding at the present time that have actually abolished it, and no States within the past 46 years having abolished it, I say we should vote against this bill.

The SPEAKER. Does the gentleman from Erie, Mr. O'Dell, desire to be recognized at this time?

The Chair recognizes the gentleman from Erie.

Mr. O'DELL. Mr. Speaker, I have before me a copy of the "Erie Daily Times," dated January 18, 1961. Knowing that this subject would be a subject of discussion, I saved this paper.

With the Chair's permission, I should like to read a short article:

EX-CON SAYS WIFE KILLED
KIDNAPED GIRL

Bakersfield, Calif. The body of blonde, blue-eyed Rose Marie Riddle, 6, was found Tuesday in a fog-shrouded field and a tattooed ex-convict confessed that he had raped and choked her in the presence of his wife.

Richard Arlen Lindsey accused his pregnant wife, Dixie, of killing the child with a wrench. He said his wife had suggested picking up a girl for sex purposes. Rose Marie, a sweet-faced, usually smiling little girl who suffered from a heart ailment, was kidnaped from a farm labor camp last Thursday. District Attorney Kit Nelson said Lindsey, 30, confessed to the rape shortly before he and his wife, 23, were arraigned on kidnap and murder charges.

Lindsey said the rape and choking occurred in the front seat of their car while his wife was awake in the rear, Nelson said. He said he then took the little girl from the car and carried her into the field about 30 feet and dumped her on the sand.

Nelson said the girl was taken from the camp about 4:30 p. m. Thursday and apparently was attacked and killed only about an hour later, after a brief stop for hamburgers and soft drinks.

He said Nelson said that he did not know at first whether the child was dead or unconscious when he carried her from the car.

He said his wife claimed she heard a cry from the girl and told him, "if you don't do it, I will." He said she got out of the car with the wrench and beat the child.

Now I ask you, while this happened in California, could this not happen to any of the children of any of the members of this House? And would you commit these people to life in the penitentiary in the hopes that they might become penitent and have their souls saved? If you are going to save their souls, let us electrocute them immediately and let them serve their term in purgatory and try to save their souls.

At the same time, the next day in the Erie paper there was an article "Erieites to Fight Death Penalty", and a group of the good people of Erie formed an association to fight the death penalty.

That is my case. I rest it. I do not see how anyone can vote to support the abolishment of the death penalty.

The SPEAKER. The Chair recognizes the gentleman from Schuylkill, Mr. Long.

Mr. WILLIAM JOSEPH LONG. Mr. Speaker, I would like to interrogate one of the sponsors of this bill, if I may.

The SPEAKER. Will the gentleman from Adams, Mr. Worley, consent to be interrogated?

Mr. WORLEY. I shall, Mr. Speaker.

Mr. WILLIAM JOSEPH LONG. Mr. Speaker, before I vote on this very important bill, I would like to ask one question of the gentleman.

If this bill passes this House and it abolishes capital punishment in this State, if a man commits murder and gets life imprisonment, is he eligible for parole after a certain amount of years?

Mr. WORLEY. It is my understanding of the bill that he would be. I might elaborate on my answer: That right is now in existence and it would not be changed under this bill, except that every person would have that privilege. Those who might be executed would also be living to have the same privilege which they would not have if they were executed.

Mr. WILLIAM JOSEPH LONG. Could the gentleman tell me how many years they would have to be in prison before they are eligible to get parole?

Mr. WORLEY. How many years?

Mr. WILLIAM JOSEPH LONG. How many years would they have to serve in a penitentiary before they would be eligible for parole if they were convicted of murder under this bill?

Mr. WORLEY. Well now, I think the gentleman knows the answer to that, there is no set time. He knows that this legislature cannot tie the hands of a subsequent legislature constitutionally; he also knows that one governor cannot tie the hands of a subsequent governor. That can only be done by the constitution. If you are talking about political influence later on when we are not here in this legislature, or by subsequent legislatures, or by subsequent governors, that is another matter. But if we are going to give that political influence to those who are living and who have been given life imprisonment, why do we not give the same chance to have influence to those who are dead?

In other words, they may have after-discovered evidence—

The SPEAKER. Perhaps the gentleman from Adams is making the talk that he is slated to make later on instead of answering the question.

Mr. WORLEY. No, I am not, Mr. Speaker. I would like to say that after-discovered evidence can come for the person who is executed as well as the one who may have life. By having life imprisonment we will give all of them the chance to have the possibilities that might arise by after-discovered evidence.

Mr. WILLIAM JOSEPH LONG. The reason I asked that question is that I believe in California—I am not an attorney—but, by reading the newspapers, I believe that in California, Carol Tregoff and Dr. Finch have been given life imprisonment, but I think by their type of law out there in seven years' time they may be paroled. Therefore, I would like to know, if this bill passes this House, what is the present law of this State? How many years would they have to be in prison before they would be eligible for parole?

Mr. WORLEY. That is now a matter under the Pardons Board's discretion at the time, under the present Pennsylvania law.

Mr. WILLIAM JOSEPH LONG. The gentleman says it is up to the Pardons Board to determine that?

Mr. WORLEY. Under the present law I believe it is. As I understand it, it is up to the Pardons Board. The inherent power, of course, to stay executions is with the governor, but the Pardons Board has an advisory capacity to the governor. In other words, the Pardons Board is advisory

to the governor, but the inherent power is always with the chief executive of this Commonwealth to stay executions or to postpone them. That is an inherent power of the office of the chief executive in the absence of statutes to the contrary.

Mr. WILLIAM JOSEPH LONG. I thank the gentleman.

The SPEAKER. The Chair recognizes the gentleman from Cameron, Mr. Tompkins.

Mr. TOMPKINS. Mr. Speaker, I wonder if I might clarify something in connection with what the gentleman from Schuylkill is inquiring about.

Under the present law in the Commonwealth of Pennsylvania, if a person is sentenced to life imprisonment, there is nothing to prohibit him from making an immediate application to the Pardons Board for a commutation of his sentence or for a parole. He could do it the day after he reaches prison. It is not very likely he would, but there is no time limitation in the State of Pennsylvania upon which he can apply to the Pardons Board.

The governor can stay executions, but he cannot commute sentences, nor can he parole or pardon without first having passed through the Pardons Board of the Commonwealth of Pennsylvania. His hands are completely tied until such time as he receives a recommendation from the Pardons Board.

I wanted to clarify that issue for the members of the House.

The SPEAKER. Does the gentleman from Washington, Mr. Murphy, desire to be recognized at this time?

Mr. MURPHY. Yes, Mr. Speaker, I do.

The SPEAKER. The Chair recognizes the gentleman from Washington.

Mr. MURPHY. Mr. Speaker, I would like to confirm what the minority whip has just informed us of, that is, the correct procedure as followed before the Pardons Board. If he is granted a number of years, then it must be that a certain number of years must be served, but if he is sentenced to life, he may file an appeal or a petition with the State Pardons Board for parole or pardon the day after he is convicted and sentenced.

I, too, would like to resort, in my short discussion, to one of our Pennsylvania newspapers dated February 27, 1961, a Pittsburgh newspaper: 'The body of the pretty four-year-old was found only two blocks from the spot where she disappeared. She laid behind a locked door. Medical examiners said that she had been sexually assaulted and had been beaten from head to foot.'

I might say, quoting the Honorable Judge Weiss, "In the criminal process, experience has demonstrated that the time-proven deterrents to crime are sure detection, swift apprehension, and certain punishment. Each is a necessary ingredient. Our law-abiding citizens have every right to expect that the best efforts of law enforcement in detecting and apprehending criminals are not nullified by uncertain and unrealistic punishment. The hardened criminal fears capital punishment."

We might hear today on the floor that there is no relationship between capital punishment and a deterrent to crime. However, let us examine the records of Allegheny County, Pennsylvania, in 1959, in comparison with those of the city of Detroit, Michigan, both having comparable populations and type of industrial population and district. As you know, the State of Michigan does not have capital punishment.

Detroit, Michigan, had 106 murders in 1959. There were 37 murders in Allegheny County.

In 1960 there were 150 murders in Detroit, and 38 in Allegheny County, Pennsylvania.

It would seem from these statistics there is a definite relationship from the punishment that we can mete out here in Pennsylvania as compared to what they do and can mete out in the State of Michigan.

I would certainly urge the members of this House to deter the hardened criminals from committing the heinous crimes of rape and murder, et cetera, by allowing us to still impose capital punishment.

This legislature in 1959 went as far as we should ever go, when we permitted the double verdict. As you know, in 1959 we said that if a jury finds a man guilty, the jury must again adjourn, go back into session and determine whether or not capital punishment will be imposed. And all twelve members of that jury must agree. A judge no longer in Pennsylvania can impose the death sentence; it must be the twelve members of the jury.

I therefore urge you to vote no on this bill.

The SPEAKER. The Chair recognizes the gentleman from Adams, Mr. Worley.

The Chair wants to commend the House on the order so far.

The gentleman will proceed.

Mr. WORLEY. Mr. Speaker, I am happy to rise before this House of Representatives to advocate the abolition of this barbaric death penalty which still stands upon the statute books of this Commonwealth. This Quaker State should be the leader in the movement to abolish capital punishment. But is it? I say to you, for seventeen years I have served in this General Assembly and for seventeen years I have directly or indirectly tried to exterminate the death penalty from ever being used in this Commonwealth, but now the day has arrived when public opinion against the death penalty is definitely being felt upon the legislature, upon the chief executives, and upon the judiciary. Do not let anyone ever make you believe that the majority of the people of Pennsylvania are for capital punishment. I tell you most sincerely that public opinion has never been for the death penalty, in my very humble opinion. It has been mostly the rich, the well-born, and the able who wanted this barbaric law enforced. Yet, it is mostly the millionaires and not the millions who want capital punishment. I say to this House of Representatives, let's help to make this a democracy by the millions and not just a democracy by the millionaires.

I came to the hall of this old House for seventeen years with the power of even a few State and a few local leaders of my own political party against me, and with the full opposition of the Democratic Party leadership at every election, and for seventeen years the people of Adams County have known my stand on this subject and yet they have not failed to return me from a county that never in its history sent a lawmaker here for nine two-year terms. Yes, they never even did that for Thaddeus Stevens, when he here represented Adams County before the immortal Lincoln came to Gettysburg to make his famed address. Yet all this effort of mine against capital punishment must have not displeased a majority of the people of Adams County or they would have removed me from this Capitol long ago.

I say to you that public opinion is definitely against the death penalty, and, if public opinion is such in a rural county, why wouldn't it even be stronger against capital punishment in the cities of this Commonwealth? I say to the members of this House, you will definitely be acting for the majority of the people of Pennsylvania if you vote for this bill. The citation of an article to abolish capital punishment in Pennsylvania which I wrote for the *Dickson Law Review* is in volume 60, number 2, January 1956, at page 167. I would also like to read five short reasons of mine in support of the abolition of the death penalty law and in support of this legislation:

1. There is that of God in every man; and if it is wrong for an individual to kill a human being, it is wrong for the Commonwealth to kill a human being.

2. The death penalty is not an effective deterrent, but rather puts the suggestion of murder in weak minds. If capital punishment were a deterrent, murder would have increased in states which have abolished it.

3. A man suffering a life sentence may be released if proven innocent, but if the accused is killed by the State, the after-discovered evidence comes too late, and the Commonwealth has committed heinous and judicial crimes.

4. At most, it is only a penalty administered upon the poor. The wealthy can prosecute expensive appeals while the poor die in the electric chair. It is impossible to find a single case in the Twentieth Century in which a man or woman who is very rich or influential has been executed for murder by this Commonwealth, and when I look at the cases of Thaw, Leopold, Loeb, Dr. Finch and Dr. Sheppard, I could almost say that a millionaire has never been executed for murder by this Nation.

5. Since a life sentence removes the alleged killer from the general public, society is fully protected; and rehabilitation can then start from some inner light of good which is present in every human being.

In conclusion, Mr. Speaker, I say to this House that the application of the death penalty is brutalizing and degrading to the public mind. It leaves no room for the reformation of character, which should be the principal aim of criminal law, nor for the revision of the sentence in the event of a miscarriage of justice. I ask you to vote for this bill.

I have a copy of a letter which the Menallen Friends Meeting of Adams County sent to the chief clerk of this House, which I would like to read into the record. It states the following:

MENALLEN FRIENDS MEETING
FLORA DALE
BIGLERVILLE, PENNSYLVANIA

February 23, 1961.

Chief Clerk
House of Representatives
Harrisburg, Pa.
Dear Sir:

By unanimous agreement of those present at our last meeting, it was decided to ask you to read before the House at the appropriate time the statement below:—

We urge favorable action of all members of the General Assembly on House Bill No. 226 which would abolish the death penalty for all offenses against the people of the Commonwealth.

We have long believed that it is not given to one man to take the life of another for any reason, nor has the State any such right. Of course men do commit crimes. Of course deterrents must be applied by the State. There

is ample evidence that life imprisonment is as valuable a deterrent to the commission of serious crimes as any other.

For the Menallen Friends Meeting,
DONALD C. TYSON
Clerk

Now, Mr. Speaker, since I knew of Justice Musmanno's great interest and study on the subject of abolishing the death penalty in Pennsylvania, I telephoned Justice Musmanno today and asked him whether he would care to make a statement which I could read on the floor of this House. This he has done and it is the following:

"I have great respect for those who favor the retention of the death penalty because I know they are motivated by worthy impulses. They believe that the death penalty increases regard for human life and deters the commission of murder. Unfortunately, the records do not bear out this belief. We have had the death penalty in Pennsylvania for 300 years, and murders have occurred with heartrending frequency in all those centuries. Obviously, then, the fear of capital punishment has not prevented murder. That proposition is simply irrefutable.

"Why, then, not give imprisonment a try? It certainly cannot make matters worse. It has not done so in States where the death penalty has been abolished.

"The main purpose of government is to restrain violence and, by example, demonstrate the ways of peace. But what can be more violent than to take a helpless human being, strap him into a monstrous device, and shoot thousands of volts of electricity into him, while his body writhes and moans, and his eyes plead for sympathy where none exists.

"How does death by electricity differ from the method used by the barbarians who burned their victims at the stake? Electricity does the job more quickly, perhaps more neatly, but the net result is the same—a charred corpse.

However, my main objection to capital punishment is the possibility of error in the execution of an innocent man. No one can convince me that innocent persons have not been hanged and electrocuted. I was within several hundred feet of the death chamber in Boston when Nicola Sacco and Bartolomeo Vanzetti were executed, while the evidence piled to the skies of their absolute innocence. Political considerations, expediency, and false pride had become so much a part of the case that the guilt or innocence of the shoemaker and the fish peddler became wholly secondary issues.

"Any student of criminology will discover countless cases of persons who have been executed through evidence based on faulty identification, slips in the law, or circumstantial evidence which, on later analysis, fell apart like a rope of sand. But, in the meantime, the victim was ashes and could no more be reassembled than a rope of sand.

Furthermore, it is sad to contemplate that in practically all those instances of miscarriages of justice the victims were poor people.

I congratulate the legislature on the able, courageous and conscientious manner in which it has taken up this grave problem and I am satisfied that, whatever its eventual decision, it will be one founded on an honest and moral judgment."

I want to thank the Members of this House for their graciousness in giving me so much time to talk.

Mr. FILO. Mr. Speaker, I would like to interrogate the gentleman from Adams, Mr. Worley, please.

The SPEAKER. Will the gentleman from Adams, Mr. Worley, permit himself to again be interrogated?

Mr. WORLEY. I shall, Mr. Speaker.

Mr. FILO. I would like to ask the gentleman if he has any figures or any statistics that he could show us as to whether, if this legislation should become law, it would be any deterrent, whether it would reduce the number of crimes presently in the State of Pennsylvania.

Mr. WORLEY. I would say to the gentleman that that information has been made available to all of us in the report of the study by the legislative committee set up by this House.

Mr. FILO. Did it show that it would make a decrease in the number of crimes in the State of Pennsylvania?

Mr. WORLEY. The gentleman has that information the same as I have; he can read it.

Mr. FILO. I am asking the gentleman.

Mr. WORLEY. I will get the report and call attention to the page.

Mr. FILO. I thank the gentleman.

Mr. Speaker, while he is getting that report, I would like to say a few things about this legislation.

I think I have seen probably more murders during my time as one of the employes in the coroner's office in Allegheny County, in the county morgue, than all the members here put together.

I have seen crimes of the type the gentleman from Erie, Mr. O'Dell, has mentioned, children age 6, and on up, raped; people who were dismembered, arms, legs dismembered, so that all we had was a torso left. Mr. Speaker, they are not pretty things.

I have had a number of people call me and say that they were in favor of this legislation, but, having been a part of what goes on in this world, and especially in Allegheny County, I, for one, could not help support this legislation. During the past 10 years I have statistics to show that there were 1,917 murders committed in the county of Allegheny. These were by blows, cutting, shootings, and so forth. I do not, for one, think that passing this legislation would reduce this figure. In fact, I would say it would increase this figure.

By this legislation you are going to let a would-be robber, if he was being apprehended while he was robbing a place, having a gun in his hand, figure, well, I probably can get away. All I have to do is shoot the police officer. I will only get life, I will not get death. I think we ought to keep capital punishment in the State of Pennsylvania and I urge all the members to vote for it.

The SPEAKER. The Chair received a request prior to the debate that the gentleman from Cumberland, Mr. Kistler, be permitted to close the debate. Does the gentleman from Adams have some information he wants to transmit to the gentleman from Allegheny, or is that interrogation closed?

The Chair understands the interrogation is closed.

The Chair recognizes the gentleman from Allegheny, Mr. Kramer.

Mr. KRAMER. First, Mr. Speaker, I would like to ask if the gentleman from Allegheny, Mr. Filo, would submit to interrogation?

The SPEAKER. Will the gentleman from Allegheny, Mr. Filo, permit himself to be interrogated?

Mr. FILO. I shall, Mr. Speaker.

Mr. KRAMER. Mr. Speaker, is it not true that there is a case on record where the pathologist in the coroner's office in this great Commonwealth testified in a murder case that death was caused by ice-pick wounds and as a result of this testimony and other testimony the man was convicted, and that later the case was reopened, the body exhumed and it was found that the deceased in fact was killed by shotgun pellets?

Mr. FILO. Mr. Speaker, I might answer the gentleman that this is true. However, I still maintain that regardless of all this—he made a mistake, I will agree—but regardless of the mistake the pathologist made, a murder was committed, whether it was by gunshot wounds or the way he stated in the first place, that it was possibly ice-pick wounds, there was a murder committed and the man should stand trial for doing such a deed.

Mr. KRAMER. I thank the gentleman.

Mr. Speaker, although sometimes we legislators get very little credit for doing much work on some of these bills, I assure you I spent untold hours studying this problem, as have many other people on this floor.

One of the amazing things I found was that this great debate that is going on all over the United States, and in other parts of the world, too, was a great debate away back hundreds of years before the time of Christ. We find Plato writing about this very thing. We can debate this thing from now on and it probably will be debated for many years to come.

We have a decision to make and we can talk about the humanitarianism, utilitarianism, retributive, prohibitive, all the other arguments pro and con, and a great many of them were very convincing.

As I tried to point out in my interrogation of the gentleman, there is one element here that I believe is most important, and that is that we are all human and mistakes are made. As the committee report points out, there were mistakes made right in this Commonwealth over the years.

I pointed out in interrogation yesterday that under our present law it is quite possible to be in the vicinity of a homicide yet know nothing about it and find yourself in the electric chair. Life is precious, precious to the deceased, it is precious to everyone. There are many members maybe of this House who have killed another person during the war. When the war was over we forgot almost all of it except the leaders. I admit we went after them.

In answer to one of the gentleman's statements that there were so many murders in one place, some 28 to 30, whatever it was, in Allegheny County, it is interesting to note that during the past few years we have not had any executions arising out of Allegheny County. So how really important is it? People get life imprisonment.

We had a case in Pittsburgh just two years ago. The names of the participants I certainly would not mention, but I point it out to you. A respected member of our community was picked up on a morals offense, was accused of attacking a young girl. It was blasted all over the newspapers. He lost his reputation; he lost his job. He was indicted and, strangely enough, another man had done it. The other man was picked up and he finally confessed to it. Human error again. If the young girl who

was attacked had been killed and the real culprit had not been caught until after the death penalty had been carried out, we would have had another mistake.

I say that life is too precious and too important to make such mistakes. If there was any one person who could say to me, "I can guarantee you that every person who sits in the electric chair is guilty in fact," then I would vote for the bill, but there is no person alive, there is no system in the world that can assure me of that.

I say it is a good bill and I hope everybody is going to vote for it.

The SPEAKER. The Chair recognizes the gentleman from Blair, Mr. Miller.

Mr. MILLER. Mr. Speaker, there is one aspect that has not been brought out in this discussion here today or previously, and that is the spiritual side of this legislation.

I have in my possession an article clipped from a Christian monthly magazine written by a Presbyterian minister in Nebraska which I would like to read to you:

Your news article "End of Death Penalty Urged" (P. L., May 1, 1961) indicates a growing sentimentality within the Christian Church that does not find a kindred spirit in Scripture.

The Scriptures clearly teach that men who refuse the forgiveness of God will not have the love of God forced upon them. Unrepentant men will meet the consequence of their evil deeds. Let us not make more of the love of God than the Scriptures do. The same God that gave the commandment "Thou shalt not kill" commanded that persons be executed for certain crimes.

That many evils are connected with the administration of the death penalty cannot be denied, but many a wise and useful program would be done away with if it were only necessary to show that it was badly administered.

The abolition of the death penalty cannot be correctly deduced from Scripture. The Apostle Paul lists the right of capital punishment as one of the powers that God has delegated to civil authorities. In Romans, chapter thirteen, Paul argues that the civil law is an instrumentality of the judgment of God . . . "for he (the civil ruler) is God's servant, for your good. But if you do wrong, be afraid, for he does not bear the sword in vain; he is the servant of God to execute his wrath on the wrongdoer" (Romans 13: 4). The sword symbolizes the ultimate penalty that the magistrate can exact.

It is obvious that those who have committed crimes have not been deterred by the threat of punishment. Surely most of us are honest enough to admit that we have been restrained from lawbreaking by the threat of punishment. Does not the appearance of the highway patrol produce amazing order upon the highway?

It is unfair to impute a spirit of vengeance to those who believe in the need for capital punishment. It may be that they are more concerned for the potential victims of criminals than for those who commit the crimes. In 1921 Albert Anastasia was sentenced to be electrocuted for the killing of longshoreman George Turello. He won an appeal for a new trial, and the case was dismissed. Anastasia is reputed to have killed thirty-one victims personally and to have directed the murder of thirty-two others. How many of these would be living today if Anastasia had been executed in the 1920's?

The Scriptures teach that wrongdoing does not go unnoticed by God. The death penalty is a proper punishment for certain crimes. Are we wincing at the judgment of God in 1961?

I urge all of you members to defeat this bill today. We need capital punishment in Pennsylvania to protect not only you and me, but the youngsters who are coming along. Just yesterday it was in the paper about a young child who was abducted and killed. Let us not vote for this legislation today. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Cameron, Mr. Tompkins.

Mr. TOMPKINS. Mr. Speaker, I have listened with a great deal of interest to the debate on this bill, as well as the debate on the amendments yesterday. Up to this point I have not heard anybody raise the issue that I am going to raise.

In 1959 in an effort to place in the hands of the people the right to determine whether or not a person should receive the death penalty, we passed the so-called double verdict bill in this General Assembly.

That double verdict bill places squarely upon the shoulders of 12 people, known as a jury, the right to determine whether or not a person shall receive the death penalty or shall receive life imprisonment. And the mercy which we have heard about today can be shown by that jury who are a part of the people of the Commonwealth of Pennsylvania. In the case of a particularly atrocious crime for which the death penalty should be imposed, they have that right in their hands.

For that reason I do not see why we should abolish the death penalty in the State of Pennsylvania, but leave something in the hands of the people to protect themselves against such vicious criminals.

The SPEAKER. The Chair recognizes the gentleman from Berks, Mr. Adams.

Mr. ADAMS. Mr. Speaker, will the gentleman from Adams, Mr. Worley, consent to be interrogated?

The SPEAKER. Will the gentleman from Adams, Mr. Worley, permit himself to be interrogated?

Mr. WORLEY. I shall, Mr. Speaker.

Mr. ADAMS. I would ask whether the gentleman is familiar with the Elmo Smith murder case that occurred in Montgomery County not too long ago?

Mr. WORLEY. I know the case and I know a person who sat through the trial. I am probably not as familiar with it as a person who sat through the trial. What is the gentleman's question?

Mr. ADAMS. Mr. Speaker, was Elmo Smith tried for murder in Adams County?

Mr. WORLEY. According to the information I have, he was.

Mr. ADAMS. Mr. Speaker, the reason I bring this up is that the gentleman from Adams lent great weight to the thinking and the attitude of the people in Adams County in his earlier statement. Was Elmo Smith convicted of murder in the first degree in Adams County?

Mr. WORLEY. According to the information I have, he was.

Mr. ADAMS. Was Elmo Smith given the death sentence in Adams County?

Mr. WORLEY. According to my information, he was.

Mr. ADAMS. Mr. Speaker, was it a jury of 12 men and women from Adams County who imposed that death sentence?

Mr. WORLEY. I think the gentleman knows the answer to that; it takes a jury of 12.

Mr. ADAMS. I was trying to clarify whether this had

taken place since the law was changed taking it from the hands of the judge and placing it into the jury's hands.

Mr. WORLEY. Would the gentleman repeat the question, please?

Mr. ADAMS. I am trying to clarify whether the verdict was made by the 12 people on the jury on the double verdict type of decision, rather than at the hands of the judge, as it was previous to the 1959 change in the law?

Mr. WORLEY. It is my understanding of the law that the jury always did it, even before. As to the double verdict, the only difference with the double verdict is that the jury does not consider prior crimes at the same time that they consider the facts in the particular case in determining the question of the sentence.

Mr. ADAMS. That is all, Mr. Speaker, of the interrogation.

The point I am trying to make is that it would appear that the weight lent to the attitude of the people from Adams County would not appear to be reflected in the verdict of jurors who tried the Elmo Smith case, which case was taken from Montgomery County because of the high feeling there, I believe, and taken to a county somewhat distant in order to get a fair trial.

I would like to make a further statement: I believe yesterday during the debate on the amendments I heard a statement made by someone, I do not recall who it was, that the people who are trying to keep capital punishment would in effect be pulling the switch to the electric chair, or words to that effect. That gave me considerable food for thought, placing the onus upon the people who are trying to retain the law as it is. I would also like to make this point in answer to that in case that line of thinking is in anyone's mind. I feel, and raise the question, would not the person who is trying to abolish capital punishment be giving the green light to the murderer, the kidnapper and the rapist to go out in the communities and perpetrate these heinous crimes with the knowledge and the feeling and the safety that he can, at the worst, be sentenced to life imprisonment and, with the admitted statements earlier, that he would be eligible to apply for a parole very shortly after he was committed if he so desired? I would like that to be on the record. The onus can be worn on the other foot, if it is analyzed in that manner.

I feel that the law should be retained the way it is. Thank you.

The SPEAKER. For what purpose does the gentleman from Adams rise?

Mr. WORLEY. I would like to answer the gentleman from Berks. I have information which I received last night from a person who sat through the entire trial of Elmo Smith in Adams County that there were between 125 and 150 jurymen impanelled before they were able to get 12 to go along with the death penalty.

Now that case was not a case that started in Adams County. It was brought from another county near Philadelphia to Adams County.

I just want that to be on the record, that there were well over 100 jurymen impanelled before they could find 12. I think that is some evidence of public opinion against the death penalty.

The SPEAKER. The Chair is advised that the gentle-

man from Allegheny, Mr. Foerster, has been signalling for recognition and this is his second address.

The Chair recognizes the gentleman from Allegheny.

Mr. FOERSTER. Mr. Speaker, many months ago I was committed to vote for this bill before a group of ministers back in my district.

After many hours of deliberation and study on it, I have come to the conclusion that I cannot vote for the bill until there are proper safeguards in it such as were in the amendments I offered this afternoon and also the amendments offered by my colleague, Mr. Goldstein, yesterday, and also until somebody can prove to me that life imprisonment means life imprisonment.

Therefore I am voting against the bill.

The SPEAKER. The Chair has prior recognition and will recognize the gentleman from Philadelphia after having recognized the gentleman from Allegheny, Mr. Lamb.

Mr. LAMB. As I have sat here and listened intently to the arguments and as I have read the many articles that have come out on the question, pro and con, I find that there are four areas which I feel must be explored and which must be answered

No. 1, the proponents of the bill to abolish capital punishment in Pennsylvania state first that the State has no moral right to take the life of another.

No. 2, that capital punishment is not a deterrent to crime.

No. 3, that only the affluent and the rich avoid the death penalty while the poor person must suffer the death penalty.

No. 4, that there is a strong possibility of error being committed, resulting therefore in the death of an innocent man.

The one argument I cannot say too much about because much has been written and those who say that it is a deterrent could be met with many others who say it is not a deterrent. The question, as Mr. Kramer said earlier, is a question that could be argued forever. I know that many statistics have been produced. I know that Mr. Murphy, for example, produced, I thought, a very telling statistic by comparing the number of murders, let us say, in Allegheny County or in Pittsburgh with the number in Detroit. In Michigan there is no death penalty; in Pennsylvania there is.

I do not feel informed enough to discuss this part of the question, but with respect to the other three, I have a few remarks to make.

I think that all of us at one time or another received what I think is an excellent report prepared by The District Attorneys Association of Pennsylvania, entitled "Should Capital Punishment Be Retained in Pennsylvania?"

With respect to the first question, whether or not the State has a moral right to take the life of another, I would like to refer to a finding that was made by a special commission to investigate the abolition of the death penalty in Massachusetts. Now under this question the following finding and conclusion is made:

Only God who created human life has the right to take it away. Since, however, the authority of the State derives ultimately from God, and is exercised in God's name, it is not inconsistent to hold that the State may claim the right, in the name of God, to

take away human life in circumstances in which this would appear clearly to be in accord with God's own will.

When a man, through his own fault, has endangered the right of the State to carry on its divinely appointed functions, there may be reason to assume that he has forfeited his God-given right to live, and that the taking of his life may be justified as an indispensable means of protecting society from serious harm.

On the question, Mr. Speaker, with respect to whether only the poor man receives capital punishment, I would like to refer to another study. The argument was that the death penalty is limited only to the poor man.

Those favoring abolition of the death penalty have long argued that it is a poor man's penalty. Today's protection of the poor and indigent murderer in Pennsylvania is almost unbelievable. The law of Pennsylvania provides the murderer with one or two lawyers for his defense, each of which is paid up to \$500 by the county wherein the case is tried. The law further provides that such investigators, experts, psychiatrists, psychologists, fire arms experts, etc., as the circumstances warrant will be provided for the defendant at the county's expense. The county pays for the printing of homicide records of trials and appeal costs. No defendant in a capital case is ever denied counsel of his own choice, and if he is without funds the county will pay said counsel as heretofore set forth.

Parenthetically, I might also point out that the lawyer of an accused is entitled automatically to the right of review of the trial by the Supreme Court.

The last point that I wish to bring out is the possibility of error.

The likelihood of conviction of an innocent man ignores the role scientific crime detection plays in modern trials. Such facilities as the crime laboratories of the F. B. I., the Pennsylvania State Police, and Allegheny and Philadelphia Counties play an increasingly important role in the production of evidence in homicide cases. Science has taken its rightful place in the prosecution of murder cases, and the evidence and conclusions reached by the outstanding crime laboratories of our state and nation work for the protection of the innocent as well as the conviction of the guilty.

Thank you.

The SPEAKER. The Chair will recognize the gentleman from Philadelphia, Mr. McCormack, the gentleman from Philadelphia, Mr. Gelfand, and the gentleman from Allegheny, Mr. Filo, in the order named.

The Chair recognizes the gentleman from Philadelphia, Mr. McCormack.

Mr. McCORMACK. Mr. Speaker, I yield to the gentleman from Allegheny, Mr. Filo.

Mr. FILO. I thank the gentleman. Thank you, Mr. Speaker.

The only thing I want to do is to make a correction. I made a misstatement on a figure I gave as far as the number of deaths is concerned. The total in the last 10 years is 699 deaths instead of 1,917. Thank you.

Mr. McCORMACK. Mr. Speaker, I would like to yield to the gentleman from Philadelphia, Mr. Gelfand.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia. Does the gentleman from Philadelphia, Mr. McCormack, simply yield priority or does he yield?

The Chair thanks the gentleman from Philadelphia, Mr.

McCormack, and recognizes the gentleman from Philadelphia, Mr. Gelfand.

Mr. GELFAND. Mr. Speaker, I think Mr. McCormack pulled a fast one on me. However, I reserve the right to a second speech.

Mr. Speaker, from the time during the French Revolution when pickpocketing was an offense punishable by the guillotine, capital punishment has served no worthwhile purpose. In those days if one would pick pockets and he was apprehended the offense was punishable with no appeal, by the guillotine. Yet public executions were the noteworthy things in those days, and amongst the audiences that observed the guillotining there were numerous pickpockets who used the opportunity to accomplish their own deserts and experience the fruits of their efforts, with no deterrent on their activities whatsoever nor with any fear of retribution, although they were operating in the very shadows of the guillotine which would sever their heads from their bodies if they were apprehended.

I say this because this is the historic attitude and I say this to indicate that from the time of the French Revolution, and many years before that, although we are a civilized society, we have not advanced whatsoever in our attitude toward the punishment of the criminal nor in the rehabilitation of the criminal.

Along the line of civilized education, I suppose, many of the states of the United States and many other countries of the world have been considering this problem for years and years. On many, many occasions prior to this in the Commonwealth of Pennsylvania, in this very legislature, we have had numerous bills dealing with this problem. And to the end of serving what we believe is justice, this session we appointed an august committee of both houses of the legislature to investigate the problem and come back to us with recommendations on what their findings were with regard to proper treatment of capital punishment and the abolition of capital punishment.

After they completed their study, and I know it was a difficult one which took them throughout the Commonwealth, they presented to us in booklet form, their findings. Much to my dismay as I listened to this debate today, I can see that we have honored their findings by completely ignoring what they have learned, because many of the questions that were asked on this very floor in this very debate were answered at length in this booklet and there was an indication of their findings with regard to the need for capital punishment and its deterrent effect on crime of a heinous nature.

Let me read portions of the book for those of us in this House who have not either had the opportunity or who have not enjoyed the desire to see what they could have learned, because many of the questions that were asked this afternoon will come out in answer form as I go through this. Possibly some of us who are not yet determined in our attitude and in the way that we intend to vote on this very, very meaningful legislation will be able to in the next few minutes come to a decision which at least will be worthy of our conscience.

First, let me start by saying this. In its study and its findings this committee went to a great deal of effort. They accepted statements and heard witnesses from all over the Commonwealth and they heard very many logical

and very many visceral and emotional reactions. They weighed them all, and much to my unhappiness, I will say, they did not come to a definite decision. But if you read the booklet, you will find that the tone of the report and the vote of the committee indicated a leaning in a definite direction as curried and determined from the evidence.

They did not want to force their viewpoints on this legislature, but they have presented us the evidence and it is up to us, after weighing this evidence, not emotionally, but logically, to come to a conclusion. If we weigh it logically and not emotionally, we will come to the conclusion that I believe this booklet leads us to, and that is the passage of this bill. They say this:

During the last 150 years numerous abolition bills have been introduced in the Legislature in Pennsylvania, but they have either died in committee or failed of passage. Elsewhere in the nation, nine states have abolished capital punishment: Alaska, Delaware, Hawaii, Maine, Michigan, Minnesota, North Dakota, Rhode Island and Wisconsin; as have Puerto Rico and the Virgin Islands. Among foreign nations, it no longer exists, in peace time, in Queensland, Israel, Italy, Portugal, Austria, Switzerland, Western Germany, Belgium, Luxembourg, the Netherlands, Denmark, Sweden, Finland, Norway, and Iceland. It has also been abandoned by Argentina, Brazil, Colombia, Ecuador, Venezuela, Uruguay, Costa Rica, Dominica, Panama, and parts of Mexico.

So that, actually, what we consider here today is not unique or unusual in its aspect, but is something which has been weighed all over the United States and all over the world, and I am proud to say that in many of the civilized communities of the world they are reaching the conclusion we should reach here today and that is to abolish capital punishment as a means of solving heinous crimes of murder.

Now let me read something else:—

Mr. Speaker, I know this is in the latter part of the debate, but I do beg the indulgence of the members. Although I do not like to quote verbatim from articles I have in my possession and oftentimes I speak extemporaneously, to me this issue is very important and I fear that many of us have failed to read adequately and thoroughly this report. At the risk of imposing upon you, I would at least like you to have the information that is in this report so that when you vote at last on this bill you can give it full and considered judgment, bearing in mind what has been learned.

The report continued:

The Committee was somewhat surprised by the fact that, despite all its efforts to get as wide an expression of opinion as possible, there were very few people who appeared to present the position that capital punishment should be retained. The Committee is, however, fully conscious of the letters expressing such views that have been received and of the various recent newspaper editorials. However, the difference between fact and opinion must be noted. It is one thing to express a visceral reaction and quite another to back it up with facts. The paucity of the factual information submitted in support of capital punishment may not prove by itself that the facts are against the position, but it is remarkable" and I repeat, "it is remarkable that the proponents submitted very little, if any, statistical data. Instead, they relied principally upon expression of opinion and prophecies of what would happen if the death penalty were abolished.

Notice is taken of the fact that similar dire prophecies have been made against every effort to abolish this penalty, even for offenses that are not now punishable by death.

Here in a footnote they give this statement:

"Lord Elenborough"—Lord Elenborough was the Chief Justice of the King's Bench years before the United States was even a country.

Lord Elenborough, Chief Justice of the King's Bench, in arguing against a bill to abolish the death penalty for stealing 5 shillings from the dwelling house, predicted that no man could 'trust himself for an hour without the most alarming apprehensions, that on his return, every vestige of his property will be swept away by the hardened robber.'

It need not be demonstrated that the voice of this eminent jurist of many years ago sounds a bit absurd today in the light of subsequent events, and, as a matter of fact, there is no death penalty for stealing five shillings and this has not caused men to have all their entire possessions swept away.

Now, to get to some of the arguments that were demonstrated on this floor by some of the opponents of this legislation. For instance, one gentleman interrogated earlier in the afternoon said he would vote for this bill if he were sure that life imprisonment would mean something, and he raised the question that there was a recent murder, a very, very well publicized murder, in California in which the two defendants both received life imprisonment, but there is a statute in California which says that after seven years they, under certain circumstances, could be paroled from prison, and he said he is worried about what happens in Pennsylvania.

First, I would like to allay his fears, because we have no such statute in Pennsylvania and life imprisonment in Pennsylvania could mean life. However, be that as it may, I think an important—

Mr. Speaker, I am sorry if I am imposing on the body. Apparently, the tides that affect this bill have already begun to flow, but if they have and I cannot stem them, then I am very, very sorry, but what I have to say about this bill I feel deeply and sincerely and I intend to say it. If you are getting restless, I am very, very sorry.

The SPEAKER. The gentleman, in defending his right to speak, is defending the right of every member of this House to secure attention. It is very important that we establish a tradition here that every member—every member—is accorded the attention of his colleagues on the floor of this House.

The gentleman will proceed.

Mr. GELFAND. As I was saying, Mr. Speaker, the important thing with regard to life imprisonment, is what does it mean and to what extent does it serve as punishment, and on this score I think it is incumbent upon us to at least look at what the record indicates so we will be aware of what happens in Pennsylvania when a man receives life imprisonment.

For instance, a report issued recently by the State Bureau of Corrections indicate this: That in the year 1954 life imprisonment in Pennsylvania meant that a prisoner had to serve 19.6 years in the penitentiary; in 1955 it meant he had to serve 17.5 years in the penitentiary; in 1958, it meant he had to serve 17.2; and in 1960 it meant he had to serve 23.8 years in penitentiary confinement. That is what life imprisonment means.

The next thing that is important in connection with life imprisonment is this: What is the extent of recidivism? To what extent does a paroled life prisoner commit heinous crimes? To what extent does he commit a second murder, and how safe a risk is a life prisoner? Here the evidence is the strongest, because here is where we indicate that life imprisonment does serve a purpose, because the lowest ratio of returned criminals to penitentiaries are criminals who have committed a murder and received life imprisonment and subsequently have been paroled, the lowest ratio of returned prisoners is this type of individual. So it should be obvious, if we are thinking people and not emotional people, that life imprisonment does serve a purpose, life imprisonment does have an effect, and that execution is not the important thing, but the important thing is, has a criminal who has committed a crime, who has been confined, been rehabilitated?

Murder is a base thing, but murder by society is a thought-out thing. Does it make it any less base because we do it as a society rather than as an individual?

After all, if a man commits a heinous crime of murder and he should be executed, then why should not we all as individuals, who suffered it to happen, suffer the same penalty, because we are deliberately executing this individual, knowing in our good minds and thinking, supposedly, that this is the proper thing to do.

Let us go further. Let us look into more of these things. One of the gentlemen who spoke said that if we did away with the death penalty we would have police afraid to apprehend criminals, that there would be more deaths amongst the police force and that actually it would make their job more fearful and more difficult.

Yet in the states that have abolished capital punishment there is no proof of this whatsoever. In the States that have abolished it they have exactly the same type of experience with regard to the murder of policemen, or homicide of policemen, in the enforcement of their duties as they have in the States that do have it. There is no relationship, no connection, and no evidence whatsoever, to prove that one thing has anything to do with the other. Yet we echo and re-echo these fallacies, and by echoing and re-echoing them we assume that they become truisms when the facts prove otherwise.

In this booklet there are a number of charts and a number of statements in which they compare the States that have abolished capital punishment with those States that have not abolished capital punishment. They have endeavored to do it on a logical and reasonable basis so they can compare the same type of economic area and the same type of population with each other State.

Then what did they find out? This is what they found out: The States that have abolished capital punishment have the same, almost exact, experience as the States which have not abolished capital punishment and that the fear of reprisal upon a defendant for having committed a heinous crime has no effect whatsoever. The fear of being electrocuted or gassed in a lethal chamber does neither deter nor increase this type of crime.

Being one who advocates doing away with capital punishment, I do not say that we will reduce the number of heinous crimes of murder, but what I do say is this, that capital punishment serves no purpose whatsoever, and it has not served to reduce such crimes.

Because it has not served any purpose whatsoever, I believe we debase ourselves as civilized human beings by continuing to advocate such a thing. I think that in order to catch up to the Twentieth Century we should examine what has to be done to rehabilitate criminals, and we should be more reasonable in our approach to these things, and not animalistic.

Finally, although I could continue a little more, because there are many, many things in this booklet that answer questions that have been raised on this floor, I would like to say this: I too, have the same fear that Mr. Kramer has. I am not so sure that in every instance the man who goes to the gas chamber or to the electric chair did commit that heinous crime. There are reported instances where, prior to execution, a man who had been scheduled for execution, has been found to be innocent. As a matter of fact, in this very booklet there are some cases indicated. There is nothing so final as death, and if these men were electrocuted, having been convicted erroneously, it would be a shame upon every citizen of this Commonwealth. I say because of these things, because capital punishment acts as no deterrent, because it has not proven to be of any worthwhile use, and because the retention of it only appeals to emotion and to a visceral attitude that we have to have vengeance upon a killer. I think because of these things we should vote in favor of this bill and do away with capital punishment in the civilized State of Pennsylvania.

The SPEAKER. The Chair certainly does not recognize any mass call for a roll. There is a way of terminating debate if any member desires to use it.

I thought the gentleman from Philadelphia, Mr. McCormack, relinquished his priority and right to speak. I asked him at the time whether he was surrendering his place on the schedule or simply surrendering his priority and I thought he was—

Mr. McCORMACK. I said priority, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. McCormack, and then, unless some other member insists upon speaking, will recognize the gentleman from Cumberland, who will close the debate.

Mr. McCORMACK. Mr. Speaker, I would like to briefly speak against House bill 226. As a point of departure, I would like to allude to several of the statements made by the gentleman from Adams, Mr. Worley.

Of course, it is pure speculation as to why the people of Adams County returned him for 17 years. I do not know whether it was because he advocated the abolition of the death penalty or not, but apparently he operates on the theory that since it took 150 people in Adams County to get a jury of 12, that therefore he will get the vote of 138 of them anyhow. That being the majority, he is pretty safe.

Mr. Speaker, I think that if there is ever a time in any situation where the people in the Commonwealth of Pennsylvania should be united, it is in this problem of the war against crime and criminals. It is for that reason, above everything else, that I believe the Commonwealth of Pennsylvania is wise in retaining and having in the laws, the law of capital punishment.

The gentleman from Adams attacked this present policy in the present law on several grounds. I believe the first was on the moral ground that only God had the right

to take a life, and not the individual or society. I believe we have heard it mentioned by Mr. Miller and others that moral theology holds that there is a basis for capital punishment, that clearly in Scriptures, both in Exodus and Romans, that society does have the right to take life.

I want to recall to your minds the situation that existed over 1900 years ago, when a Galilean carpenter stood before Pontius Pilate and Pontius Pilate said to him: "Dost thou not know that I have the power to set you free or to crucify you?" And the carpenter stood before him and calmly said, "Thou would have no power unless it were given to thee from above." And He submitted to it.

The point I am raising is that He submitted to it. He did not abrogate it; He did not declare a moratorium on it; He submitted to it. So, I think clearly, on the basis of Scripture and tradition, the State has the right in certain instances to take the life of an individual.

As far as I am able to reason, Mr. Speaker, I cannot see any distinction between the State and the individuals who compose the State taking the life of an individual and the State or the Nation going to war. I have certainly participated in wars and I have killed people, and I say that I did not think it was morally right, or rather, I did not think it was morally wrong because it was in self-defense. We were morally justified in going to war and in killing people who were trying to interfere and take our lives and our property. We had the right to do it in war, and for the same reason, self-defense, the State has the right to protect itself and its citizens by declaring that those who commit the most callous, the most heinous of crimes, murder, should in proper instances, die.

The gentleman from Adams also mentioned that this was not a deterrent. Well, I have examined the records and I say that it is impossible for us to fully determine whether or not capital punishment is a deterrent regardless of any statistics that you might quote from, you still are not able to accurately, and statistically or analytically or conclusively decide that it is or is not a deterrent. We are men of reason; we must be reasonable and reason this out ourselves. Who is there to say that it is not in the mind of at least one criminal to take a life, if he knew that he would not suffer death?

We have an eminent authority saying that capital punishment is the greatest possible deterrent against the criminal. I respect that authority; I respect it more so than the sociologists and a lot of maudlin individuals and sentimentalists who come up here and tell us that it is not a deterrent.

The gentleman also alluded to the fact that it is only the poor who suffer this penalty. Well, of course, we know it is mostly the poor who are involved in felony murders, such as robbery and burglary, and they do it for money. So it would necessarily follow that it would be mostly the poor who would be involved in situations where a jury might return a verdict of death. Now if the argument is that it is only the poor, if that argument is raised because you are inferring that the poor are deprived of eminent counsel and money with which to prosecute not only a successful trial, but an appeal, then I say to you that the facts do not warrant that conclusion. I can think of the most brilliant defenses in

the history of this Commonwealth wherein attorneys represented defendants charged with first degree murder who did not have a penny to defend themselves. And I refer to a great criminal lawyer and former Attorney General who participated in one that went through the State courts time and again and wound up in the Federal Court, *Commonwealth v. James Smith*, I believe, who killed a taxicab driver. Tom McBride defended him. His services were worth \$100,000. You could not have paid him for the services that he rendered that penurious defendant in the case, and yet, he was a very poor man. I do not think that Thomas McBride got a dime for that.

Look at the case of the *Commonwealth v. Treetop Turner*. The work, the number of trials, the numbers of appeals in that case—the lawyer involved, whose name momentarily escapes me—devoted years of his experience, years of his life to successfully defend this criminal who did not have a dime. You could not buy that type of defense. So that certainly, so far as I am concerned, refutes the argument that the poor are the ones who suffer by this because they do not have enough money to engage trial counsel or to prosecute appeals. That just is not so under the law.

I think of one thing we can be certain. I think that getting back to the deterrent aspects of this again, we know that an executed criminal will never commit another crime. Of that we can be certain. I think we can also be certain of the fact that where a criminal is perpetrating a felony, which is enumerated in the felony statute, that he might very well pull the trigger to silence a witness to that felony where he realizes that he is going to suffer the same amount of time in prison as he would for the crime itself. I think we can be certain of that.

Now, getting back for a minute to the argument about the poor, to carry that to its logical conclusion. If we do away with the death penalty, we are still, Mr. Speaker, dealing with the poor and next they will come up here and say it is only the poor in the Commonwealth of Pennsylvania who are receiving the life sentence, and therefore we should abolish life sentences. It does not apply to the rich, it only applies to the poor, so there is a lot of fallacy in that argument.

Now, rather than listening too closely to these social scientists and penologists, I would like to refer very briefly to the report submitted by Judge Sam Weiss from Pittsburgh that was alluded to before by several members.

Here is a man who was in the legislature from 1936 to 1939, I believe, and he was dead set against capital punishment in Pennsylvania. He went on the bench in 1946. I think he was a trial judge in 63 murder cases. In 1953 he sat in seven consecutive murder cases. I respect his opinion and I respect his courage and his forthrightness in appearing before this legislative committee and in taking the time and trouble to submit his detailed report. He certainly believes that the death penalty is not only necessary but that it is vital to the defense of the citizens of the Commonwealth of Pennsylvania, and in the report he quotes from Dr. Baldi, the former warden of our State Penitentiary at Rockview and director and superintendent of the Holmesburg and Moyamensing prisons. This is one thing that Dr. Baldi says in his book, "The Last Mile." "The one thing that

the desperate criminal mind fears, the one thing that can hold the finger from the trigger is the electric chair awaiting at the end of the trial. Remove that chair, and we remove the greatest physiological deterrent to premeditated murder."

Now, it is true that I am not going to change any votes and no one else is going to change any votes, but I think before we undertake to eliminate what I consider an essential measure for the protection of the citizens of this great Commonwealth, we ought to think twice about it. For that reason, after listening to all the arguments, we ought to vote to retain it, especially in light of what we did just two short years ago, when we provided a greater measure of protection for criminals by not permitting the district attorney to reveal the facts of the terrible record that that particular defendant charged with murder may have. They have to hold that until after the jury decides on the facts of the case. We ought to give that a greater trial and, until some better measure does, we ought to keep this measure on our books. Therefore, I urge you all to vote against this bill.

The SPEAKER. Does the gentleman from Dauphin, Mr. Hocker, desire to be recognized?

Mr. HOCKER. Mr. Speaker, I do and I will be very brief; the hour is getting late. I, too, have given this much thought. I think it is one of the major problems that will probably come before this session this year. My mind is not changed very readily—but if Mr. McCormack would allow himself to be interrogated, I would like to interrogate the gentleman.

The SPEAKER. Will the gentleman from Philadelphia, Mr. McCormack, permit himself to be interrogated?

Mr. McCORMACK. I shall, Mr. Speaker.

Mr. HOCKER. Mr. Speaker, yesterday I think during the debate, if my memory serves me correctly, you used the term "paid killer," is that true?

Mr. McCORMACK. A professional killer?

Mr. HOCKER. Yes.

Mr. McCORMACK. That is right. Yes, sir.

Mr. HOCKER. Mr. Speaker, do you think in your own mind that this person exists, a person of this type?

Mr. McCORMACK. Sure. As a matter of fact, it happened just recently in Florida, where they did away with a judge.

Mr. HOCKER. Mr. Speaker, I thank the gentleman and, if I may, this is what has let me arrive at the decision which I think is fair. I sum this whole thing up to this. I think that a man, if there is such thing as a paid killer, and I think there is, who just committed a very hideous crime in the state of Florida, was convicted, and if that person exists, I am quite sure that for money, he will gamble on twenty years in the penitentiary. But I wonder how much thought he will give to committing a murder for a price if he knows that he is going to pay with his life. That has given me my answer, Mr. Speaker, and I will certainly oppose the abolishment of capital punishment. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Blair, Mr. Auker.

Mr. AUKER. Mr. Speaker, I shall be as brief as possible, but I think the record ought to be made as full and as clear on this very, very important question as it can possibly be made. We have debated it thoroughly

this afternoon. There is not any question that has faced the people of Pennsylvania that possibly has caused so much thinking, so much comment, since the 2 percent sales tax or the tax was raised on gasoline.

I have listened very attentively to all the arguments. A great many of those proposed by the people favoring this bill, I believe, have been adequately answered. The question of public opinion, possibly, is a very important factor. The gentleman from Adams County, Mr. Worley, raised it, and he expressed it as the public opinion of the people of his county, 44,000-and-some in population.

To offset that, let me say that I am absolutely sure from comments that I have received from my own county of Blair, with some nearly four times the number of people in Adams County, that they are absolutely opposed to the abolishment of capital punishment in Pennsylvania.

The argument as to millionaires never being convicted, I believe, has been adequately answered.

The argument that only the poor are executed, I believe, has been adequately answered because, as has been said on the floor of this House, we here in Pennsylvania have surrounded the defendant who is indigent with every possible safeguard and provided him with every possible means of giving him the best defense possible in a murder trial, or in any other criminal trial, for that matter.

A great deal of pressure has been brought—I will not say pressure exactly—certainly a great commotion has been raised on this very important question by various religious denominations over this State. One of them is the Council of Churches. I talked with their leaders personally and debated the problem with them on this particular subject. I asked them this question, and I think it is entirely right, that we are living under a civil government and throughout all history the protection of our society has been under the civil government, and rightfully so, and not under the church. So I would say that the churches, possibly, without taking a poll of their members—and I could find none of them that did so and they admitted to me that they had not—are certainly out of order to express an opinion of any denomination, that the people of any denomination, in this Commonwealth are opposed to capital punishment or favored capital punishment. I say frankly that I think they stuck their necks out, that they did not have any business sticking them out in business that does not belong to them. I told them so, and I am not saying anything behind their backs.

I believe that capital punishment has its place. I believe that in a government as we are living under today and which has the protection of society as its goal, as one of its main goals, it should be left to civil government to work it out. And that has been true throughout all history.

I believe that much has been said, and probably will be said in the future, on this very important question. It will not be answered today forever. That is the reason I say that the record ought to be made as clear today as possible. This question is bound to return, no doubt, in future sessions to come. This is as far as it has ever got in my remembrance, to an open debate on the floor of the House.

People have said, and I have had church people say to me, some of these very church people that I have

talked to, and this is probably a very good point, at least it is in my estimation, that every man should have a right to repent. That is possibly true of a cold-blooded murderer who maybe does not even have it in mind to repent at all. Usually when it comes to crimes of passion, we have provided the means here for his life imprisonment, that he has a chance to repent.

But I would say to those people and to all the people who raise that argument, what about the people whom these cold-blooded murderers have killed? They have taken every chance away from them for the right and pursuit of happiness, and to lead a good, christian, useful life among their communities. You do not hear them raise that question. Very few people plead for the victims; they all plead for the aggressor. Society seems to me to be moving in that direction, that we are constantly surrounding the criminal with protection instead of trying to protect the people who ought to be protected, the innocent victims.

So I ask everybody in the House to keep this thing on the books so it will be a deterrent to these cold-blooded murderers, and they are the only people that it affects.

The SPEAKER. The Chair recognizes the gentleman from Cumberland who will close the debate.

Mr. KISTLER. Mr. Speaker, I would like to thank the Chair for the permission to close the debate and I would like to ask the indulgence of the members of the House for just a brief moment. I know that everybody is tired. This has been a tense session. This has been a thing that we have built up to for some time; this is truly a matter of life and death.

I can tell you with some assurance that there is little doubt that there have been other bills that were more easy of solution with respect to our votes than House bill 226. This is a bill that has come before us with a great deal of pressure from various segments of our society. Nevertheless it is an important bill. The very foundation of our society is predicated upon the continued life of the State, and, therefore, it behooves us to give serious consideration as we cast our vote pro or con for this bill.

I would not suppose that the members of this House did not study in detail the lengthy works that have been put at their disposal with respect to research, statistics, and so forth, on this vital matter. I believe every member here has done this. Therefore, I will not burden you with additional comment in this regard.

I do want to pay some respects to Mr. Lamb, the gentleman from Allegheny, and who I think has made a wonderful summation of the matter before us.

In my own case I have gone outside of some of the comment that has gone on this afternoon to get some information from people, who, in my opinion, I believe to be in authority on this matter. In this connection I wrote to J. Edgar Hoover of the United States Department of Justice and he, in turn, wrote to me at some length. With your indulgence, I would like to submit for your consideration parts of what he had to say with respect to this vital subject. I have a letter from The United States Department of Justice, the Federal Bureau of Investigation, as of May 11, 1961. He says, in part:

My dear Mr. Kistler:

I have received your letter and appreciate the interest

which prompted you to write. This is indeed appreciated. My position on the subject of capital punishment is well known and I have spoken out repeatedly over the years against the trend to abolish realistic punishment. Frequent misguided compassion overshadows the concern that we should have for victims of murderers, rapists, and other hardened criminals.

The question of capital punishment has sent a storm of controversy thundering across our Nation. Millions of spoken and written words seek to examine the question so that decisions may be reached which befit our civilization. The struggle for answers concerning the taking of men's lives is one to which every American should lend his voice, for the problem in a democracy such as ours, is not one for a handful of men to solve alone. As a representative of law enforcement, it is my belief that a great many of the more vociferous cries for abolition of capital punishment emanate from those areas of our society which have been insulated against the horrors man can and does perpetrate against his fellow beings. Certainly, penetrative and searching thought must be given before considering any blanket cessation of capital punishment in a time when unspeakable crimes are being committed. The savagely mutilated bodies and mentally ravaged victims of murderers, rapists and other criminal beasts beg consideration when the evidence is weighed on both sides of the scales of Justice.

At the same time, nothing is so precious in our country as the life of a human being, whether he is a criminal or not, and on the other side of the scales must be placed all of the legal safeguards which our society demands.

Experience has clearly demonstrated, however, that the timeproven deterrents to crime are sure detection, swift apprehension, and the proper punishment. Each is a necessary ingredient. Law-abiding citizens have a right to expect that the efforts of law enforcement officers in detecting and apprehending criminals will be followed by realistic punishment.

It is my opinion that when no shadow of a doubt remains relative to the guilt of a defendant, the public interest demands capital punishment be invoked where the law so provides.

Who, in all good conscience, can say that Julius and Ethel Rosenberg, the spies who delivered the secret of the atomic bomb into the hands of the Soviets, should have been spared when their treachery caused the shadow of annihilation to fall upon all of the world's peoples? What place would there have been in civilization for these two who went to their deaths unrepentant, unwilling to the last to help their own country and their own fellowmen? What would have been the chances of rehabilitating Jack Gilbert Graham, who placed a bomb in his own mother's luggage and blasted her and 43 other innocent victims into oblivion as they rode an airliner across a peaceful sky?

A judge once said, "The death penalty is a warning, just like a lighthouse throwing its beams out to sea. We hear about shipwrecks, but we do not hear about the ships the lighthouse guides safely on their way. We do not have proof of the number of ships it saves, but we do not tear the lighthouse down."

Despicable crimes must be dealt with realistically. To abolish the death penalty would absolve other Rosenbergs and Grahams from fear of the consequences for committing atrocious crimes. Where the death penalty is provided, a criminal's punishment may be meted out commensurate with his deeds. While a Power transcending man is the final Judge, this same Power gave man reason so that he might protect himself. Capital punishment is an instrument with which he may guard the righteous against the predators among men.

We must never allow misguided compassion to erase our concern for the hundreds of unfortunate, innocent victims of bestial criminals.

Very truly yours,
J. Edgar Hoover
Director

Mr. Speaker, Mr. Hoover is not alone the Director of the Federal Bureau of Investigation. Mr. Hoover is an

outstanding Presbyterian churchman. In addition to this comment from Mr. Hoover, I have been in correspondence with Judge Weiss of the Court of Common Pleas of Allegheny County. Judge Weiss has told me that which you have heard stated heretofore by Mr. McCormack, that he was, for years, against capital punishment here in this House of Representatives and in the Congress at Washington, but that 15 years as a judge has reversed him completely and he now stands for capital punishment.

In summation, Mr. Speaker, I submit that 5,000 years of history has left man basically unchanged. On the 11th day, in the 11th month of the 40th year in the wilderness, Moses laid down the laws that one who would take a life should lose his own. This judgment was confirmed by Our Lord, subsequently, when He laid down the doctrine that a life that has taken another has lost its sanctity before God and man.

It could be a dangerous doctrine that murder will hurt you but it will not kill you.

Just as one can never know how many ships are saved by the lighthouse, so we can never know how many lives and tragedies are prevented by the law providing capital punishment.

Mr. Speaker, I submit that it would be gross error to cloak a murderer, to cloak a rapist, to cloak an arsonist who would take your life, who would take my life, who would take your daughter's life, who would take my daughter's life. I submit that it would be a mistake, it would be gross error, to cloak these people with legislative immunity. I respectfully, therefore, request the members on both sides of the aisle to vote against House bill 226. I thank you.

On the question recurring,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—32

Ashton,	Gibb,	Limper,	Snare,
Cianfrani,	Gibbons,	Lippincott,	Sullivan, T. F.,
Donaldson,	Goodrich,	Long, Wm. Jos.,	Whittaker,
Doughten,	Hartley,	Manbeck,	Williams, A. D.,
Esler,	Holman,	McDonald,	Wilt,
Fineman,	Irvis,	Musto,	Wood,
Galley,	Kelser,	O'Donnell, J. A.,	Worley,
Gelfand,	Kramer,	Petrosky,	Andrews,
			Speaker

L NAYS—173

Adams,	Fox,	Lawson,	Reidenbach,
Anderson, J. H.,	Frascella,	Lee, A. M.,	Renwick,
Anderson, S. A.,	Fry,	Lee, K. B.,	Riley,
Arlene,	Fulmer,	Leonard,	Rovansek,
Auker,	Gallagher,	Long, Wm. Jas.,	Royer,
Bachman,	George,	Lutty,	Rubin,
Backenstoe,	Goldstein, J. H.,	Magee,	Rudisill,
Blair,	Goldstein, M. H.,	Markley,	Rutherford,
Boles,	Gramlich,	Marsh,	Sakulsky,
Bonner,	Gray,	Maxwell,	Scarcell,
Bossert,	Greenlee,	May,	Schaaf,
Bower,	Gremminger,	McCandless,	Schuster,
Bowman,	Gross,	McCann,	Seltzer,
Branca,	Guesman,	McCormack,	Shelton,
Breth,	Guthrie,	McDevitt,	Sherman,
Buchanan,	Hamilton,	McInroy,	Shupnik,
Bush,	Hankins,	McKeever,	Simmons,
Capano,	Haudenshield,	McLaughlin,	Slack,
Capitolo,	Heavey,	McNally,	Stank,
Cauley,	Heffner,	Meholchick,	Steckel,
Clofi,	Helm,	Merry,	Stimmel,
Clarke,	Henzel,	Miller,	Stiteler,
Comer,	Hocker,	Mills,	Stone,
Cooley,	Holl,	Monroe,	Sullivan, J. A.,

Crossin,
Curwood,
Davis,
Dengler,
Dennison,
Dougherty,
Down,
Edwards,
Elberg,
Elvey,
Eshback,
Eshleman,
Ewing,
Farabaugh,
Fetterolf,
Filo,
Flynn,
Foerster,
Foor,

Holliday,
Horst,
Isaacs,
Jenkins,
Jim,
Johnson, A. W.,
Johnson, R. P.,
Jones,
Kamyk,
Kelly,
Kernaghan,
Kings,
Kistler,
Klein,
Knecht,
Kooker,
Kornick,
Korns,
Lamb,

Morley,
Mullen,
Murphy,
Murray,
Needham,
O'Dell,
O'Donnell, J. P.,
Odorisio,
Ogilvie,
Parlante,
Pashley,
Perry,
Piper,
Polaski,
Polen,
Prendergast,
Price,
Pursley,
Reibman,

Taylor,
Thompson,
Tompkins,
Truslo,
Ujobai,
Varner,
Verona,
Wall,
Walsh,
Wargo,
Weidner,
Welsh,
Wescott,
Willard,
Willaredt,
Williams, E. S.,
Wynd,
Yetter,
Zember,
Zimmerman,

NOT VOTING—5

Kessler,
Mihm,

Munley,

Strausser,

Tomasick,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

REASONS FOR VOTE

Mr. A. D. WILLIAMS, Jr., filed the following reasons for his vote on House bill No. 226:

The proponents of capital punishment have no answer to the miscarriage of justice which may occur where the executed individual is later discovered to be innocent.

It is my belief that this Commonwealth has the opportunity to test the effect of the end of the death penalty. If after a period of five years or in fact at any time in the future we find that the effect has in fact been detrimental to public peace and safety we may restore the law to its present status.

Abolition deserves a chance—I hope that the end result will be a good one for our society.

Mr. HOLMAN filed the following reasons for his vote on House bill No. 226:

Mr. Speaker, I must say from the outset that capital punishment is an issue that must by its very nature be resolved by one's own conscience. The Joint Legislative Committee recognized this when it concluded in its report that it would recommend neither retention nor abolition of capital punishment.

The main argument for retention of capital punishment advanced by the proponents of the issue is the deterrent effect of such punishment. I am convinced from my own observations as an attorney and from the expert studies I have read on the subject that the deterrent effect is slight, even though, admittedly, it can never be established how many persons are actually deterred by the threat of punishment of any nature. Most experts agree that the chief deterrent to crime is not the severity of the penalty inflicted, but the certainty of detection and punishment.

I share the concern with the fallacies that exist in our pardon and parole system, for there are many. I also share the concern of those who point out the many atrocious crimes that have been committed in recent years; however, the facts show that fear of punishment does not deter the mentally ill or so-called "sex fiends." Furthermore, statistics show that lifers make the best parole risks. Contrary to popular belief, the average lifer in a

Pennsylvania institution serves 18.7 years before parole. In the words of the Joint Legislative Committee "a mandatory life sentence, without hope of parole, represents an unjustified distrust of the future."

Mr. Speaker, since the taking of life falls within the providence of God and not within the right of man, and since the only forceful argument for retention, i. e., the deterrent effect, has been proven to be of only slight significance, I have voted "aye" on the final passage of House bill 226.

Mr. HELM IN THE CHAIR

HOUSE RESOLUTION NO. 28

Mr. McCANN. Mr. Speaker, I call up on page 40 of today's calendar, House Resolution No. 28.

The resolution was read by the clerk as follows:

In the House of Representatives, February 14, 1961.

Legislation is now pending in both Houses of the General Assembly which if adopted will abolish capital punishment in this Commonwealth. It is imperative that the committees to which these measures have been referred have ample time for thorough study. It is also foreseeable that additional studies and public hearings will be necessary before action can be taken on such proposals.

While these studies are being conducted men are scheduled for and waiting execution. These executions should not be carried out until such time as the studies have been completed and the General Assembly has accepted or rejected the abolition of capital punishment therefore be it

Resolved (the Senate concurring) That the governor of this Commonwealth the Honorable David L. Lawrence is hereby urged to declare a moratorium on all executions pending final action by the General Assembly on legislation to abolish capital punishment and be it further

Resolved That a copy of this resolution be transmitted to the Honorable David L. Lawrence.

On the question,

Will the House adopt the resolution?

RESOLUTION RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this resolution be recommitted to the Committee on Rules.

The motion was agreed to.

BILLS ON FINAL PASSAGE POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on final passage of House bill No. 131, entitled:

An Act defining and relating to installment land contracts in cities of the first class and providing for and regulating the rights and obligations between parties to such contracts under certain terms and conditions.

On the question recurring,

Shall the bill pass finally?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Fineman.

Mr. FINEMAN. Mr. Speaker, I know that the men and women of this House have patiently and attentively listened to lengthy debate on the capital punishment bill and it is almost capital punishment to make them listen to even further debate. And I do not intend to sorely try their patience, but I would ask them to indulge me, if they would, for a brief moment or two on House bill 131.

I feel constrained to speak briefly about the bill simply because this is the second try on House bill 131 and I am inclined to believe it was because of some misunderstanding that the bill fell when it was first considered last week.

Now, Mr. Speaker, when the average person buys a home, he buys it usually in one of two ways. If they are left with enough resources, they usually buy the home with all cash. The average purchaser, however, usually makes enough of a down deposit which, when added to the mortgage he is able to obtain, enables him to pay for the entire purchase price.

Now there is a class of persons who do not fit into either of these two categories, people who do not have enough money to make a sufficient deposit which, when added to the mortgage, will complete the purchase price. They, too, want to become home owners. How do they go about it? They enter into what is called a lease-purchase arrangement, an installment-plan contract arrangement. And House bill 131 has for its purpose merely the clarification of the mutual obligations and rights of the seller and the buyer on these lease-purchase arrangements.

Now the reason we are seeking this type of legislation is because an evil practice has come into play in the large metropolitan areas of this Commonwealth which reacts to the disadvantage of these people who usually do not have enough money to engage the assistance of counsel. They enter into these contracts. They are not told what portions of the money they are paying is allocated to the principal, what portion is allocated to taxes, water rent, sewer rent, fire insurance. They are not told what kind of title they are going to get to this property. In many instances—and I know this from personal experience—I have represented many persons who have come to me and said, Mr. Fineman, I entered into a lease-purchase arrangement. I have been paying for two years under this lease-purchase arrangement and I still do not know how much money I have to pay yet before I can get title to the property.

I have had situations where people have come in and said, I lived in a property for two years, I have made my payments diligently for two years, and now I received a notice that because I have fallen into default in that I did not make some supposed repairs to the house that I was to make, I am now going to be evicted and all the money that I have paid in is going to be forfeited. What are my remedies?

Well, surely, Mr. Speaker, this is the type of person who needs some kind of assistance, some kind of legislation. Now I would like the members of the House to know that what we are doing for these people we are not doing as a corresponding sacrifice of any rights of the seller. As a matter of fact, House bill 131 in its present form was drafted with the cooperation of those attorneys who represent the realtors in the City of Philadelphia. All of the safeguards that the realtor and the seller could ask for are embodied in this bill.

This bill merely sets forth what the seller in good conscience and justice should do now. It imposes no burden other than it does at the present time. This is a bill that I can commend to every member of the House, a bill that should receive the faithful attention of every

member of the House. It is meritable legislation. I ask for an affirmative vote on this bill, Mr. Speaker.

On the question, recurring,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—152

Anderson, S. A.,	Fry,	Lawson,	Renwick,
Arlene,	Gallagher,	Leonard,	Riley,
Bachman,	Gelfand,	Limper,	Rovansek,
Backenstoe,	George,	Long, Wm. Jas.,	Rubin,
Boles,	Gibb,	Long, Wm. Jos.,	Rudisill,
Bonner,	Gibbons,	Lutty,	Rutherford,
Bossert,	Goldstein, J. H.,	Marsh,	Sakulsky,
Branca,	Goldstein, M. H.,	Maxwell,	Scarcelli,
Breth,	Gray,	McCann,	Schaaf,
Buchanan,	Greenlee,	McCormack,	Schuster,
Capano,	Gremminger,	McDevitt,	Seltzer,
Capitolo,	Guesman,	McDonald,	Shelton,
Caulley,	Hamilton,	McKeever,	Sherman,
Cioffi,	Hankins,	McLaughlin,	Shupnik,
Clarke,	Hartley,	McNally,	Simmons,
Cooley,	Haudenschild,	Meholchick,	Stank,
Crossin,	Heavey,	Mills,	Stimmel,
Curwood,	Henzel,	Monroe,	Stiteler,
Dengler,	Holl,	Morley,	Stone,
Dennison,	Holliday,	Mullen,	Sullivan, J. A.,
Donaldson,	Holman,	Murphy,	Sullivan, T. F.,
Dougherty,	Horst,	Musto,	Taylor,
Doughten,	Irvic,	Needham,	Thompson,
Edwards,	Jenkins,	O'Dell,	Tomasck,
Ellberg,	Jim,	O'Donnell, J. A.,	Trusio,
Elvey,	Johnson, R. P.,	O'Donnell, J. P.,	Ujosal,
Eshback,	Jones,	Odorisio,	Varner,
Eshleman,	Kamyk,	Parlante,	Verona,
Esler,	Kelly,	Pashley,	Wall,
Ewing,	Kernaghan,	Perry,	Wargo,
Farabaugh,	King,	Petrosky,	Welsh,
Filo,	Kistler,	Piper,	Willaredt,
Fineman,	Klein,	Polaski,	Williams, A. D.,
Flynn,	Knecht,	Polen,	Williams, E. S.,
Foerster,	Kooker,	Prendergast,	Wilt,
Foor,	Kornick,	Price,	Worley,
Fox,	Kramer,	Reibman,	Yetter,
Frascella,	Lamb,	Reidenbach,	Zimmerman,

NAYS—45

Adams,	Goodrich,	Lee, A. M.,	Pursley,
Anderson, J. H.,	Gramlich,	Lee, K. B.,	Slack,
Ashton,	Gross,	Lippincott,	Snare,
Auker,	Guthrie,	Magee,	Steckel,
Blair,	Heffner,	Markley,	Tompkins,
Bower,	Helm,	May,	Weidner,
Bowman,	Hocker,	McCandless,	Whittaker,
Bush,	Isaacs,	McInroy,	Willard,
Davis,	Johnson, A. W.,	Merry,	Wood,
Down,	Kelser,	Miller,	Wynd,
Fetterolf,	Korns,	Ogilvie,	Zember,
Fulmer,			

NOT VOTING—13

Cianfrani,	Manbeck,	Murray,	Walsh,
Comer,	Mihm,	Royer,	Wescott,
Galley,	Munley,	Strausser,	Andrews,
Kessler,			Speaker

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

ANNOUNCEMENTS

Mr. McCANN. Mr. Speaker, I would ask that the membership remain for a while. There are committee announcements and some bills to be recommitted. I am not sure of the amendments that Mr. A. W. Johnson and I have. Those who have them will please stay. The mem-

bers must stay to get the committee announcements and reports of committees and we will leave immediately after that is over, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman. Members will be patient for just a few minutes.

Mr. McCANN. Mr. Speaker, when the House convenes tomorrow morning we will proceed to vote on bills from the time we start, breaking for lunch and caucus and coming back and voting on bills. We will, without a doubt, attempt to vote on the entire package of Senate bills on the calendar.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1462, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), prohibiting the operation of motor vehicles at slow speeds upon State highways and highways under the supervision and control of turnpike commissions and providing penalties.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Motor Vehicles.

The motion was agreed to.

COMMITTEE MEETINGS

AGRICULTURE AND DAIRY INDUSTRIES, Mr. Farabaugh, Chairman, Room 131, Thursday, June 29, at 9:30 a. m.

CITIES-COUNTIES FIRST CLASS, Mr. Dougherty, Chairman, Room 521, Thursday, June 29, at 9:45 a. m.

ALL TIMES ARE DAYLIGHT SAVING TIME

REPORT FROM COMMITTEE

Mr. FRASCELLA from the Committee on Motor Vehicles, reported as amended, House bill No. 112, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), providing additional enforcement procedures on traffic violations in boroughs, towns and townships.

ANNOUNCEMENT

Mr. McCANN. Mr. Speaker, they are asking me to repeat. The House will convene at 10 a. m., daylight saving time and we will proceed to vote on bills.

The SPEAKER pro tempore. The House will reconvene at 10 a. m., daylight saving time.

RESOLUTION

CONGRATULATIONS

Messrs. WILLAREDT, FETTEROLF, R. P. JOHNSON, HOLL and Mrs. HENZEL offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, June 28, 1961.

Miss Ethel Lynn Maloney, from King of Prussia, on Saturday night June 24, was enthroned as Miss Pennsylvania of 1961. Prior to this she had won the title of Miss Montgomery County. The twenty year old beauty will represent the Commonwealth of Pennsylvania at the Miss America Pageant at Atlantic City in September.

The new Miss Pennsylvania, a 1958 graduate of Upper Merion High School, and now a Ursinus College coed in the junior class, displayed her talents for the judges by doing charcoal sketches and a pantomime dance. For her victory in the State beauty contest at West Chester, Pennsylvania, Miss Maloney was presented a four-year Governor's scholarship to one of three Pennsylvania universities; therefore be it

Resolved, That the House of Representatives hereby extends its hearty congratulations to Miss Maloney upon her being selected as Miss Pennsylvania of 1961, and earnestly hopes that her beauty and talents will lead her to even greater accomplishments; and be it further

Resolved, That a copy of this resolution be sent to Miss Maloney at her home in King of Prussia, Pennsylvania.

BILLS AND RESOLUTIONS PASSED OVER

Mr. McCANN. Mr. Speaker, I request that all other bills and resolutions not acted upon on today's calendar be passed over.

The SPEAKER pro tempore. The Chair hears no objection.

SENATE MESSAGE

SENATE BILL FOR CONCURRENCE

The clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 620.

An Act amending the act of March 30, 1937 (P. L. 115), entitled "The First Class City Permanent Registration Act," increasing compensation of the chairman and other members of the registration commission.

Referred to the Committee on Cities—Counties First Class.

The SPEAKER pro tempore. For what purpose does the gentleman from Mercer, Mr. Willard, rise?

Mr. WILLARD. Mr. Speaker, I have been trying to get recognized all day but without avail. I would like to submit my statement for insertion in the Legislative Journal.

JOINT STATEMENT OF MESSRS. DOWN AND WILLARD

"Last Saturday night in Sharon, Mayor Richardson Dilworth of Philadelphia made some statements which were blistered yesterday in editorials in the Philadelphia Inquirer and the Harrisburg Evening News.

"Mayor Dilworth made the absurd charge that recent exposures of fraud and corruption in Philadelphia were a part of a nation wide conspiracy on the part of the Republican party whose purpose is to undermine the strength of the Democratic party in the big cities.

"If Mayor Dilworth is so sure that alleged corruption in Philadelphia's Democratic-controlled city government is just another 'Republican plot,' why has Mayor Dilworth so bitterly and even hysterically opposed the investigation of such charges by an impartial Grand Jury

"In 1948, Dilworth was literally shouting for the Commonwealth to lead a Grand Jury investigation into charges of Republican malfeasance in Philadelphia, because, as he then claimed the Republican party could not properly investigate itself.

"Up in Sharon last Saturday where Mayor Dilworth made statements described editorially by the Philadel-

phia Inquirer as 'nonsensical' and 'childish.' We are not taken in by that kind of talk.

"Because Mayor Dilworth did launch forth in Sharon on his fantastic charges, we wish formally to object to his insulting the intelligence of the residents of Sharon and of Mercer County.

"And we wish to read into the legislative record the article in the June 26, 1961 Sharon Herald reporting the Dilworth statements, editorials in the June 27, 1961 Inquirer and the Harrisburg Evening News which clearly state that the Mayor is fooling no one but himself.

SCANDAL GOP'S 'PATTERN,' SAYS DILWORTH

June 26, 1961.

The current scandal in Philadelphia's city administration was created as part of a "pattern of behavior" by Republicans attempting to wrest control of the big-city vote from the Democrats throughout the nation.

That was the contention of Philadelphia Mayor Richardson Dilworth at a press conference in Sharon after he had addressed the third annual banquet of the Mercer County Young Democrats Saturday night.

Dilworth, whose own chances for the 1962 gubernatorial nomination may have been dented by the big payola scandal, declared it his duty "to inform and defend the people of Philadelphia."

He said the Republicans' charges of graft, bribery and influence peddling, which are currently being aired at a hotly-contested series of hearings and which eventually may be carried to the state Supreme Court, would "have to be proven" before they could be accepted.

He declared that the Republicans, in an attempt to revive the party in large Democratic strongholds such as Philadelphia, New York City, Boston and Chicago, are relying upon Republican newspapers to play up the incidents to the discredit of the Democratic Party.

The scandal to which Dilworth referred broke in Philadelphia last month. As a result two city employees, one former city employee and a local contractor have been ordered held for the grand jury.

The charges against the four stem from alleged rigged bills and contracts. One official is on record as saying the city stands to lose possibly millions of dollars.

The mayor, queried about his own political future, stated he has "no specific plans" and his job at present is "to be a good mayor."

He pointed to the accomplishments of his administration, particularly in the areas of redevelopment, and the rapid rate of progress of Philadelphia in past years.

Earlier, as he addressed the 300 Young Democrats attending the banquet in the IUE Hall, Shenango Valley Freeway, Dilworth called for the creation of new jobs to offset the nation's unemployment; strong leadership, and a rebirth of spiritual strength in fighting the battles of the cold war and outer space.

He declared that the coming generation will be the "finest in our history," but will be dependent upon the need for "greatness" in America today, and upon strong leadership.

Mayor Dilworth, who was accompanied by his wife, arrived at the banquet at 7:10 p. m., 40 minutes late for the 6:30 scheduled event. Mrs. Grace Sloan, state treasurer, who was also to have been present, sent her regrets that she was unable to attend.

The event attracted guests of party faithful from other counties, including Beaver and Lawrence, in addition to leaders in Mercer County Democratic circles.

County Democratic Chairman Kirby Gould spoke briefly, calling for hard work by Democrats in getting good registration for the November general election.

James White, president of the Young Democrats of Pennsylvania, also gave brief remarks.

Joseph Alcaro, county YD president, opened the meeting and Peter J. Joyce, Sharpsville councilman, was toastmaster. Rev. R. C. Satterfield offered the invocation and benediction.

THE EVENING NEWS

EDITORIAL PAGE

Page 20

Tuesday, June 27, 1961.

THE PHILADELPHIA STORY—REFORM TAKES A WRONG TURN

Just about everybody in Philadelphia is calling for a grand jury investigation of the City Hall scandals. Not including the Democrats, of course, who just a decade ago this year ended 67 years of Republican rule with a campaign waged on the issues of graft and corruption.

The Republicans, as you would naturally expect, are saying the same things now about the Democrats that the Democrats said about them. And both of the GOP organizations (there are two, even if it appears there isn't even one when the November elections are held) formally have petitioned for a grand jury investigation.

At the opposite end of the political spectrum, the Americans for Democratic Action want a grand jury investigation, too.

So does the Committee of Seventy which pays tribute to the Dilworth Administration for "its very real accomplishments" in advancing the best interests of Philadelphia but which also points at the great need "that the public confidence be restored in the integrity of city officials, employees and legislators."

So do Philadelphia's newspapers, waging their own investigations and turning up information and charges which somehow escaped the attention of the authorities.

But the Democrats—from the powerful Green organization which circulated petitions against a grand jury investigation to Mayor Dilworth who interrupted a world tour to return and set up his own investigation and house-cleaning—say that they are vigorously and adequately taking care of the scandals themselves, via a Democratic controller who first exposed the wrongdoing and a Democratic district attorney who is prosecuting two city officials, a former municipal employee and a former official of the Philadelphia Transportation Co.

Yet the uproar just won't die down.

In addition to payola involving municipal officials and employees, grave charges have been leveled that there is a system of shakedowns.

And a prominent Democratic member of City Council has allowed that \$3,000 given to him by a contractor as a "political contribution" somehow never was reported.

The more things change, the more they are the same? Well, maybe so and maybe not. But it sounds familiar just the same, echoing the outcry in the late '40s and early '50s when two young Democratic reformers, Richardson Dilworth and Joseph S. Clark, were calling for grand jury investigations of the corruption and graft at City Hall and urging Philadelphians to throw the Republican rascals out and put them in.

It just isn't realistic to expect the Republicans to investigate themselves, Mr. Dilworth kept say-

ing then. Just this past weekend he looked back and said that "it is perfectly clear that the Republican Party, which then was in power, was absolutely incapable of cleaning its own house and so demonstrated."

Is it more realistic now to expect the "ins" to go after themselves and clean house just because they're Democrats?

Mayor Dilworth keeps saying, yes, it is. But he doesn't buttress his argument when he keeps proclaiming in speeches from Philadelphia to Sharon that demands for an independent investigation of the Democrats and his administration are all part of a "plot by the Republicans and Republican newspapers."

Mr. Dilworth has demonstrated over the years that he is a man of great talent, appeal and accomplishment. But he also has demonstrated in the past a tendency to go off half-cocked oratorically. He is talking through his hat again with all this political "plot" folderol. Only an independent investigation can clear the air in Pennsylvania's largest city.

Philadelphia Inquirer

June 27, 1961.

Editorials

THE MAYOR IS PRESUMPTUOUS

Having scented a "Republican plot" behind the exposure of fraud and corruption in Philadelphia's city government, Mayor Dilworth has now expanded his nonsensical charge to embrace also the current outbreak of municipal scandals in New York, Boston and Chicago.

Not only does the mess at City Hall stem from a Republican plot to undermine the Democratic Party in this city, according to the Mayor, but GOP strategy calls for a breakdown of Democratic control in the other big cities—"because that is where the last Presidential election was won."

The Republicans, added Dilworth at a press conference in Sharon, Pa., are "unhappy" about the Democratic majorities in the big cities, and they are being abetted by "Republican newspapers," which are employing all possible means to "raise scandals."

At a time of world tension, when most Americans are anxious to support President Kennedy without regard to party affiliation, it is exceedingly presumptuous of Mayor Dilworth to blame the scandalous conditions in Democratic city administrations upon a Republican conspiracy to capture big-city votes in future Presidential and other elections.

The Mayor is displaying questionable loyalty to the National Administration when he seeks to drag the results of the 1960 election into the mess of corruption and wrong-doing that the Democrats have stirred up in Philadelphia, Boston, New York and Chicago.

To blame the misdeeds of Democratic city officials upon the Republicans, or upon the newspapers which publish the facts concerning the Democratic scandals, is not only a distortion of the truth: it is a childish fabrication that can delude no one.

There can be very few persons who will agree with Dilworth that Republican politics is responsible for Democratic crookedness in public office. In the case of the New York school scandals, the Democrats themselves revealed the outrages that were being committed on the public. As for Boston, it was the New York Times, a newspaper friendly to the Kennedy Administration, that published a series of articles that exposed Democratic misrule.

At the outset of the Philadelphia revelations, Mayor Dilworth, Democratic City Chairman Bill Green and other party leaders repeatedly emphasized that it was a Democratic official, Controller Hemphill, who first uncovered the mess the Democrats had made at City Hall. Republican groups accused by the Mayor of conspiring against him entered the case only after Democratic self-investigation was stalled and there were demands for a grand jury probe.

Dilworth was reaching far out when he decided to blame the pay-offs and frauds among his subordinates upon the Republican Party. He has not only over-reached himself, but strained the credulity of any sane person.

The big city Democratic bosses are the ones to blame. Why doesn't Dilworth come out and say so? Why doesn't he speak of the obligation of the bosses to the President and the shirking of their responsibilities? If his only defense for the crookedness uncovered in his administration is the whining complaint that the Republican Party is conspiring against him, then his is indeed a sad plight.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1212.

An Act amending the act of July 5, 1917 (P. L. 693), entitled "An act authorizing and empowering the several counties of this Commonwealth to establish and maintain schools for the care and education of children * * *" providing for the transfer of schools to the Commonwealth of Pennsylvania and authorizing operation of schools to be terminated.

HOUSE BILL No. 1346.

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333), further regulating procedures with respect to general return sheets and tally papers.

HOUSE BILL No. 1347.

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333), further regulating the advertising of election proclamations and providing for advertising of a primary election proclamation in counties of the second class.

HOUSE BILL No. 1350.

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333), further regulating the preservation of records.

HOUSE BILL No. 1447.

An Act amending the "Milk Sanitation Law" approved July 2, 1935 (P. L. 589), further providing for the tuberculosis and brucellosis ring tests to be given to sows.

With the information that the Senate has passed the same without amendment.

SENATE MESSAGES

The clerk of the Senate being introduced, presented extracts from the Journal of the Senate.

Amended House Bills returned for concurrence Nos. 345, 512 and 722.

Amended Senate Bills non-concurred in by Senate Nos. 65 and 95.

STATEMENT BY MAJORITY LEADER

Mr. McCANN. Mr. Speaker, I would like to state that the total vote was 205 members, and some of the members are indicating that it is the highest vote on a piece of legislation for quite some time.

The SPEAKER pro tempore. The chief clerk has informed the Chair that it is the highest vote this session,

except on opening day when every one is here to be sworn in.

ADJOURNMENT

Mr. WELSH. Mr. Speaker, I move that this House do now adjourn until Thursday, June 29, 1961, at 9 a. m., e. s. t.

The motion was agreed to, and (at 5:40 p. m., e. s. t.), the House adjourned.

Legislative Journal.

Session 1961.

145th of the General Assembly.

Vol. 38.

HARRISBURG, PA., THURSDAY, JUNE 29, 1961.

No. 70.

HOUSE OF REPRESENTATIVES

THURSDAY, June 29, 1961

The House met at 9 a. m., e. s. t.

The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

O Almighty God, Who by Thy Son, Jesus Christ, didst give to Thy holy Apostles many excellent gifts and commandedst them earnestly to feed Thy flock; we thank Thee for those two great apostles, St. Peter and St. Paul, whom we especially honor this day; make, we beseech Thee, all Pastors diligently to preach Thy holy Word, and the people obediently to follow the same, that they may receive the crown of everlasting glory: through Jesus Christ, Thy Son, our Lord, Who liveth and reigneth with Thee and the Holy Ghost, ever One God, world without end. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Wednesday, June 28, 1961, will be postponed until printed.

The Chair hears none.

BILLS INTRODUCED AND REFERRED

By Mr. McCANN, Mrs. REIBMAN,
Messrs. BUCHANAN and VARNER.

HOUSE BILL No. 1816

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), enlarging the functions of the State colleges, and providing for certain duties for the Board of Presidents of State Colleges and for the Department of Public Instruction.

Referred to the Committee on Education.

By Mr. McCANN, Mrs. REIBMAN,
Messrs. BUCHANAN and VARNER.

HOUSE BILL No. 1817

An Act amending the "Public School Code of 1949," approved March 10, 1949, providing for minimum compensation and increments, and maximum, mandated salary and increments, and for qualifications for administrators and members of the faculty of State colleges; providing for leaves of absence; * * *.

Referred to the Committee on Education.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 129.

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" further regulating the election of officers and establishment of joint schools and departments.

Referred to the Committee on Education.

SENATE BILL No. 131.

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" changing the time for electing secretaries of joint boards and committees.

Referred to the Committee on Education.

SENATE BILL No. 496.

An Act amending the act of May 5, 1927 (P. L. 787), entitled "An act establishing certain public roads as State highways . . ." changing a route and adding a new route in Delaware County.

Referred to the Committee on Highways.

SENATE BILL No. 576.

An Act fixing the salary of the register of wills of Philadelphia.

Referred to the Committee on Cities—Counties First Class.

SENATE BILL No. 746.

An Act to regulate the sale and distribution for agricultural purposes of ground limestone burned and hydrated lime gypsum slag and related products in the Commonwealth of Pennsylvania conferring powers and imposing duties on the Department of Agriculture establishing fees making an appropriation and prescribing penalties.

Referred to the Committee on Agriculture and Dairy Industries.

SENATE BILL No. 768.

An Act amending the act of May 25, 1945 (P. L. 1050), entitled "Local Tax Collection Law" exempting the property of tenants occupying real estate from distress and sale for nonpayment of taxes levied against the real estate.

Referred to the Committee on State Government.

SENATE CONCURRENT RESOLUTION SERIAL No. 124

Referred to the Committee on Rules.

SENATE CONCURRENT RESOLUTION SERIAL No. 125

Referred to the Committee on Rules.

RESOLUTION INTRODUCED AND REFERRED

By Mr. GREMMINGER. RESOLUTION No. 88

In the House, June 28, 1961.

Whereas, The Governor of the Commonwealth of Pennsylvania having special trust and confidence in the ability and integrity of certain citizens from the County of Delaware; and

Whereas, The Governor of this Commonwealth has reposed his confidence in said persons by commissioning them to serve on various boards, agencies and commissions of the Government of this Commonwealth; and

Whereas, These persons, eleven in number, are serving and have been serving out of a sense of obligation to their State and their Government; and

Whereas, It is the custom commonly referred to as "Senatorial Courtesy" for the Senator from their County to introduce their names for Senate Confirmation; and

Whereas, The Senator from Delaware County, the Honorable Clarence Bell, has failed to introduce their names for Senatorial Confirmation; and

Whereas, His failure to act is not in the best interests of the people of this Commonwealth, but is an act of omission; therefore be it

Resolved, That we request the President Pro Tempore of the Senate of the Commonwealth of Pennsylvania to arrange for the presentation of the names of the aforementioned persons for confirmation.

Referred to the Committee on Rules.

REPORTS FROM COMMITTEE

Mr. KORN from the Committee on Agriculture and Dairy Industries, reported as committed, House bill No. 1448, entitled:

An Act amending the "Milk Control Law," approved April 28, 1937 (P. L. 417), further regulating the sale of milk on farms directly to consumers.

Mr. PARLANTE from the Committee on Cities—Counties First Class, reported as committed, Senate Bill No. 620, entitled:

An Act amending the act of March 30, 1937 (P. L. 115), entitled "The First Class City Permanent Registration Act" increasing compensation of the chairman and other members of the registration commission.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1448, entitled:

An Act amending the "Milk Control Law," approved April 28, 1937 (P. L. 417), further regulating the sale of milk on farms directly to consumers.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 620, entitled:

An Act amending the act of March 30, 1937 (P. L. 115), entitled "The First Class City Permanent Registration Act"

increasing compensation of the chairman and other members of the registration commission.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 112, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), providing additional enforcement procedures on traffic violations in boroughs towns and townships.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 701, entitled:

An Act amending the act of April 4, 1925 (P. L. 127), entitled "An act relating to adoption" authorizing approved agencies or institutions to charge for service rendered to persons taking children into their homes for the purpose of adoption and providing for the approval of such charges by the Department of Public Welfare.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1008, entitled:

An Act amending the "State Employees Retirement Code of 1959" approved June 1, 1959 (P. L. 392), authorizing annuitants to work sixty days per year without loss of benefits under certain circumstances.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 472, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code" requiring a copy of the application to be sent to the police or the sheriff where the seller's place of business is located and where the buyer resides.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 525, entitled:

An Act authorizing members of any profession to organize an association to render the type of service which the members are authorized to render providing for the regulation of the association and its members and employees and imposing power and duties on the association and its members.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 592, entitled:

An Act amending the act of June 1, 1945 (P. L. 1242), entitled "State Highway Law" providing for payment by

the Commonwealth of damages occasioned by a change of width lines or grades of streets designated as State highways in cities of the second class second class A and third class.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 108, entitled:

An Act permitting certain ambulances fire apparatus rescue vehicles and other emergency vehicles to pass over turnpikes toll roads and toll bridges without paying tolls providing for reimbursement by the Commonwealth in lieu of such tolls imposing duties upon the Secretary of Highways and providing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 471, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), further regulating the removal of wrecked vehicles and tractors from the highway.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 729, entitled:

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103), providing that no annexation of a portion of a township shall be final or complete until payment has been made or agreement entered into for payment of certain costs by a city or borough.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 738, entitled:

An Act providing that no township of the second class or any part thereof shall be annexed by any city borough or township without the consent of the electors of the entire township and prescribing the manner of commencing annexation proceedings.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 749, entitled:

An Act amending the "Korean Conflict Veterans' Compensation Act" approved July 8, 1958 (P. L. 569), defining "veteran" so as to include career servicemen.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1001, entitled:

An Act amending "The Realty Transfer Tax Act" approved December 27, 1951 (P. L. 1742), redefining documents so as to exclude certain transfers from industrial development agencies.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1003, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), imposing powers and duties on the Department of Forests and Waters relative to parks established by political subdivisions.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1114, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), removing the authority of the secretary to suspend the operator's license or learner's permit of a person for conviction in another state if such conviction was obtained by use of radiomicrowave equipment prior to the authorization by law for the use of such equipment for timing speed in this Commonwealth.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1240, entitled:

An Act amending the "Public Assistance Law" approved June 24, 1937 (P. L. 2051), providing for eligibility for assistance in the case of aliens.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be re-committed to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1248, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), changing the provisions relating to leaves for certain State employees.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1343, entitled:

An Act amending "The Vehicle Code" approved April

29, 1959 (P. L. 58), further regulating the imposition of penalties for operation of vehicles upon highways with tires which do not conform with requirements of the act.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1505, entitled:

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103), further regulating the time for preparation of the proposed budget.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1549, entitled:

An Act amending "The Military Code of 1949" approved May 27, 1949 (P. L. 1903), discontinuing restricted use of funds realized from sale of armories and providing for expenditure of remaining balance in such restricted funds.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1611, entitled:

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103), providing for the appointment of alternate members to the board of adjustment.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1622, entitled:

An Act amending "The Pennsylvania Workmen's Compensation Act" approved June 2, 1915 (P. L. 736), changing provisions relating to liability of employers and benefits and persons entitled thereto regulating practice and procedure changing subrogation rights providing for attendance of witnesses requiring payments into the Second Injury Reserve and Rehabilitation Fund.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1744, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), requiring certain vehicles and combinations of vehicles equipped with air brakes to be equipped with emergency brakes.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1803, entitled:

An Act relating to charitable organizations requiring the registration of such organizations and regulating the solicitation of moneys and property by or on behalf of charitable organizations.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 180, entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code" authorizing occupation taxes to be abolished and per capita taxes to be levied and collected and limiting the levy and collection of certain taxes.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 181, entitled:

An Act amending the act of June 24, 1937 (P. L. 2017), entitled "County Institution District Law" authorizing the assessment and collection of annual per capita taxes on individuals limiting the levy and collection of such taxes and taxes on trades occupations and professions and authorizing taxes on trades occupations and professions to be abolished.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 479, entitled:

An Act amending the act of June 25, 1941 (P. L. 159), entitled "Municipal Borrowing Law" regulating the payment sale price and interest of non-debt revenue bonds.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 508, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code" further defining disorderly conduct in order to protect passengers lawfully occupying any railroad or railway passenger station or platform.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 509, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code" prohibiting the use of railroad passenger station facilities by loiterers.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 541, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" authorizing the Secretary of Highways to erect accurate mile courses and designations along State highways.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 693, entitled:

An Act making an appropriation to the committee appointed by the General Assembly to examine the issue of the abolition of capital punishment in Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 701, entitled:

An Act amending the act of July 7, 1948 (P. L. 1368), entitled "Real Estate Tax Sale Law" further regulating notice given to delinquent taxables.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 735, entitled:

An Act amending the act of December 22, 1951 (P. L. 1726), entitled "Pennsylvania Loyalty Act" excluding from the provisions of the act certain teachers who are citizens or subjects of foreign countries.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Mr. HELM IN THE CHAIR

LEAVES OF ABSENCE

By unanimous consent leaves of absence were granted as follows:

Mr. Tompkins for Mr. WILT for today.

Mr. Tompkins for Mr. GIBB for today.

Mr. Tompkins for Mr. HAUDENSHIELD for today.

Mr. Tompkins for Mr. MAGEE for today.

Mr. Tompkins for Mr. ZEMBER for today.

Mr. Tompkins for Mr. SLACK for today because of illness in the family.

Mr. McCANN. Mr. Speaker, I request permission to call up some non-controversial bills on the calendar out of order until we get our membership in and get organized.

I ask permission, Mr. Speaker, at this time, to turn to page 24, bills on third reading, and I call up the first bill on the calendar for a roll call today, House bill 1487.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1487, entitled:

An Act amending the "Real Estate Brokers License Act of one thousand nine hundred and twenty-nine" approved May 1, 1929 (P. L. 1216), changing the educational and training requirements for licensure changing the place of hearing specifying the nature and weight to be given to the report of a representative appointed by the Commission to hold hearings in connection with any of its disciplinary proceedings providing for the taking of testimony and bringing auctioneers within the provisions of the act.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—84

Anderson, S. A.,	Galley,	Lamb,	Polaski,
Ashton,	Gallagher,	Lawson,	Polen,
Auker,	Gibbons,	Lee, A. M.,	Prendergast,
Backenstoe,	Gramlich,	Leonard,	Reidenbach,
Boles,	Greenlee,	Limper,	Riley,
Branca,	Gremminger,	Long, Wm. Jas.,	Rubin,
Breth,	Hamilton,	Lutty,	Rudisill,
Cianfrani,	Hankins,	Manbeck,	Scarcelli,
Cioffi,	Hartley,	Markley,	Schaaf,
Clarke,	Heavey,	Maxwell,	Seltzer,
Comer,	Henzel,	McKeever,	Shelton,
Cooley,	Irviss,	McLaughlin,	Sherman,
Crossin,	Jim,	Meholchick,	Stank,
Curwood,	Jones,	Mills,	Steckel,
Donaldson,	Kamyk,	Monroe,	Stimmel,
Doughten,	Keiser,	Morley,	Stone,
Eilberg,	Kelly,	Mullen,	Verona,
Esler,	Knecht,	Murray,	Welsh,
Fetterolf,	Kooker,	O'Donnell, J. P.,	Wescott,
Filo,	Kornick,	Parlante,	Willaredt,
Frascella,	Korns,	Perry,	Williams, A. D.,

NAYS—99

Adams,	Foor,	Marsh,	Royer,
Anderson, J. H.	Fox,	May,	Rutherford,
Bachman	Fry,	McCandless,	Sakulsky,
Blair,	Fulmer,	McCann,	Shupalk,
Bonner,	Gelfand,	McDevitt,	Simmons,
Bossert,	George,	McDonald	Snare,
Bower,	Goldstein, J. H.,	McInroy,	Stiteler,
Bowman,	Goldstein, M. H.,	McNally,	Sullivan, J. A.,
Buchanan,	Goodrich,	Merry,	Sullivan, T. F.,
Bush,	Gray,	Miller,	Taylor,
Capano,	Gross,	Murphy,	Thompson,
Cauley,	Guthrie,	Musto,	Tompkins,
Davis,	Heim,	Needham,	Varnier,
Dengler,	Hocker,	O'Dell,	Wall,
Dennison,	Holliday,	O'Donnell, J. A.,	Wargo,
Dougherty,	Holman,	O'dorisio,	Weldner,
Down,	Horst,	Ogilvie,	Whittaker,
Edwards,	Isaacs,	Pashley,	Willard,
Elvey,	Johnson, A. W.,	Petrosky,	Williams, E. S.,
Eshback,	Johnson, R. P.,	Piper,	Wood,
Eshleman,	Kernaghan,	Price,	Worley,
Ewing,	King,	Pursley,	Wynd,
Farabaugh,	Kistler,	Reibman,	Yetter,
Flynn,	Lee, K. B.,	Renwick,	Zimmerman,
Foerster,	Long, Wm. Jos.,	Rovansek,	

NOT VOTING—27

Arlene,	Holl,	McCormack,	Trusio,
Capitolo,	Jenkins,	Mihm,	Ujobai,
Fineman,	Kessler,	Munley,	Walsh,
Gibb,	Klein,	Schuster,	Wilt,
Guesman,	Kramer,	Slack,	Zember,
Haudenschild,	Lippincott,	Strausser,	Andrews,
Heffner,	Magee,	Tomascik,	Speaker

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

BIRTHDAY

The SPEAKER pro tempore. The Chair would like at this time to make a very short statement.

Tomorrow happens to be the birthday of a very important cog in the legislative wheel of this House of Representatives. The present occupant of the Chair, in conjunction with the Speaker of the House, are together sponsoring a resolution concerning this birthday. I am sure that if I send it to the desk and ask for its approval, the gentleman in question would rule that it was not a privileged resolution. So I am offering the resolution at this time on behalf of Mr. Andrews and myself and am requesting unanimous consent of the House for its immediate consideration.

RESOLUTION

CONGRATULATIONS

Messrs. HELM and ANDREWS asked and obtained unanimous consent to offer a resolution and for its immediate consideration.

The resolution was read by the clerk as follows:

In the House of Representatives, June 29, 1961.

Tomorrow is the birthday of our beloved parliamentarian, S. Edward Moore.

Eddie, as he is affectionately known, has been associated with this House for more than half a century. His knowledge of parliamentary procedure is probably greater than that of any other man. This may seem to be an extravagant statement, but to those who know his work it is exceedingly modest.

It was he who devised and developed our history of bills and resolutions, a publication so important to us, that few can imagine an orderly legislative process without it. His assistance has been invaluable to every Speaker who has served during his tenure. The individual members have found him a limitless source of understanding, guidance, and sage advice.

He has earned and enjoyed the respect, admiration and personal esteem of every member of this House; therefore be it

Resolved, That we congratulate S. Edward Moore on this anniversary of his birthday and express the fervent hope that he spends many, many more birthdays with us; and be it further

Resolved, That a copy of this resolution be delivered to S. Edward Moore.

On the question,

Will the House adopt the resolution?

Mr. A. W. JOHNSON. Mr. Speaker, I think it is very wonderful of the Speaker and yourself to offer this resolution this morning. I could not help but think as it was read and as I looked around at the walls of this House, at the beautiful paintings, Washington at Valley Forge, and so forth, you cannot but think of the great men who have departed from the scene in Pennsylvania, who have made a lasting contribution to this State. I feel that Eddie Moore has done the same thing and stands right along with the rest of those great men through the job he has done in this legislature in establishing the first State budget and in setting the moral tone here in this General Assembly that has made this General Assembly the great institution it is in Pennsylvania today.

I know we all honor and love him. It reminds me of the song, "When I grow too old to dream, I'll have you to remember, and you will always live in my heart." I think

that bespeaks the feeling of every member of this House, that Eddie Moore is a wonderful person and a man of whom we can be very, very proud.

On the question recurring,

Will the House adopt the resolution?

It was unanimously adopted.

The SPEAKER pro tempore. The Chair would request the Speaker of the House to sign the original of the formal copy of the resolution and present it to the parliamentarian.

Mr. ANDREWS. Ladies and gentlemen of the House, it was in 1933 that it was my privilege, on an occasion or two, to preside during the deliberations of this House. That was when Turner was Speaker, and Eddie Moore was there. He was there with visions of greater and better things for this House, decorum, better facilities for the members. He had the dreams of the processes that would facilitate our working in this House and in all of the committees, all of the committees that have worked here and have established this House as one of the premier legislatures of the United States, from the standpoint of decorum and procedure. He has been a member of that committee.

Incidentally, it was in 1939, during the time of one of the really great Speakers of this House, Elwood Turner, that on one occasion when there was an appeal from his decision, the record shows that Turner asked the gentleman from Cambria, Mr. Andrews, to preside during the deliberations regarding the appeal from the Chair, and Moore was there.

The record shows that I said some very wise things at that time and I am surprised as I read them. I think Eddie must have whispered them in my ear.

He was here when I came, but he has been here ever since 1933.

Edward, it is a pleasure for me to present to you this resolution which only faintly expresses what we would like to express.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR

The SPEAKER. The Chair recognizes the parliamentarian, and he is privileged to speak from this microphone if he will consent to do so.

I think we should sing happy birthday first. The Chair recognizes Mr. Dengler.

Mr. DENGLER. Mr. Speaker, I think we should all rise while we sing, "Happy Birthday, Dear Eddie." Sing it lustily so he knows we really mean it.

The SPEAKER. The Chair recognizes the parliamentarian. Edward, this is a better microphone than that one and I sincerely insist and invite you to say whatever you have to say from this rostrum over this microphone.

THE PARLIAMENTARIAN (S. Edward Moore). Mr. Speaker, I am speechless. There are no words adequate to express my sincere appreciation for your thoughtfulness and kindness in remembering me on my birthday. I also thank you for the privilege of having celebrated so many, many birthdays in this wonderful House, in fact, almost all of them. I am sure you will agree with me that the time has now come that I celebrate no more birthdays. Thank you very much.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1555, entitled:

An Act amending "The First Class City Permanent Registration Act" approved March 30, 1937 (P. L. 115), further regulating the days hours and places of registration.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER. The Chair recognizes the gentleman from Bucks, Mr. Williams.

Mr. A. D. WILLIAMS, Jr. Mr. Speaker, I would like to interrogate one of the sponsors of the bill, Mr. Gallagher, of Bucks County.

The SPEAKER. Will the gentleman from Bucks County, Mr. Gallagher, permit himself to be interrogated?

Mr. GALLAGHER. Mr. Speaker, I would be glad to be interrogated today but, however, I will yield to the gentleman from Westmoreland, Mr. Petrosky.

The SPEAKER. The gentleman from Bucks yields to the gentleman from Westmoreland, Mr. Petrosky. The interrogation will proceed.

Mr. A. D. WILLIAMS, Jr. Mr. Speaker, it is my understanding that this bill would give the right to the registration commission in Philadelphia County to send registrars in to the adjoining counties of Bucks, Montgomery and Delaware for the purpose of registering, I guess, members of both parties, independents and non-partisan, who reside in the city of Philadelphia.

Mr. PETROSKY. Mr. Speaker, that is correct. May I elaborate further and say to the gentleman that we have a companion bill on page 28.

Mr. A. D. WILLIAMS, Jr. I am only interrogating the gentleman with regard to House bill 1555, the only bill before this House at this moment.

Mr. PETROSKY. Mr. Speaker, that is true. This is the only bill before the House. However, when we consider election matters and in the event that we move in the area wherein it covers the entire Commonwealth, I thought to save the time of the House, the next bill will be running then, I would answer the gentleman's question in reference to the package that is moving at this time, on the election laws. Would that be satisfactory to the gentleman from Bucks?

Mr. A. D. WILLIAMS, Jr. No, it would not, Mr. Speaker. I would like to interrogate the gentleman only in regard to this bill.

Mr. PETROSKY. Fine. What is the question then?

Mr. A. D. WILLIAMS, Jr. Mr. Speaker, as I understand this bill, it would permit the registration commission in the city of Philadelphia to send registrars into the adjoining counties of Bucks, Montgomery, and Delaware for the purpose of registering electors, residents of the city of Philadelphia, in those three counties. Is that correct?

Mr. PETROSKY. That is correct, the adjoining counties.

Mr. A. D. WILLIAMS, Jr. Mr. Speaker, does this mean it would be entirely up to the registration commission

in the city of Philadelphia to determine when and where these registration places would be established?

Mr. PETROSKY. That is correct, Mr. Speaker. May I cite the reason for a bill of this nature? We hope that, a little later in the day, we can talk upon this matter which reflects upon the other counties in the State.

Certainly I recognize that we are all interested in registering all the people we possibly can in a most efficient means. This is one more method of gaining additional registrations, providing the accommodations for registering people. Let us assume that there is a particular fair being held in one of the adjoining counties to Philadelphia. We know there will possibly be thousands upon thousands of Philadelphians going to this fair. This would permit the Philadelphia registration commission to set up a booth at this fair, and they would have, of course, according to law, a Democrat and a Republican registrar and the accommodation would be given to those thousands of people. Out of them, the voters who are not registered can stop at the booth at the fair and register. This is one of the areas in which it could be done.

Among other things that could be done, I submit to you, you could have set up registration places in the tremendous shopping areas right outside of the city of Philadelphia and accommodate thousands of Philadelphians while they go shopping there, an additional accommodation, and it would be most convenient for the people who would want to enroll in either of the parties or independent or non-partisan enrollment. Does that answer the gentleman's question.

Mr. A. D. WILLIAMS, Jr. Partially. Mr. Speaker, does the gentleman know in how many different locations in the city of Philadelphia they presently have established traveling registrar locations?

Mr. PETROSKY. I do not have the exact number. However, it is a considerable number.

Mr. A. D. WILLIAMS, Jr. Mr. Speaker, would it be in the hundreds?

Mr. PETROSKY. I could not give you the exact number.

Mr. A. D. WILLIAMS, Jr. Does the gentleman know whether the traveling registrars in Philadelphia sit in shopping centers, department stores?

Mr. PETROSKY. They do, yes.

Mr. A. D. WILLIAMS, Jr. Does the gentleman know the hours that the traveling registrars sit in the city of Philadelphia?

Mr. PETROSKY. The hours may vary. The act in itself allows the leeway to the registration commission. I would suggest that the more popular hours would be the same as they are in my county, possibly 1 to 9, or 3 to 10, whatever would be most convenient for the people who are concerned with getting on the register to vote.

Mr. A. D. WILLIAMS, Jr. Mr. Speaker, is the gentleman satisfied that the traveling registrars work hours which are presently convenient so that people who work during the day, or on the afternoon 4 to 12 shift, or on the 12 midnight to 8 a. m. shift have time to register?

Mr. PETROSKY. I agree heartily with the gentleman but I reiterate what I stated earlier, that we are pledged along with the foundations that are interested in actively having more people enrolled for registration making it

as convenient as we possibly can. I would submit to the gentleman that we have found, in many areas of registration such as we are trying to bring about by the passage of this act, that it is most efficient too, where the cost factor is concerned, because we get a greater number of registrations in cities where we have a special event, and so on. This has been illustrated time and again within one great county. However, I do not think we should deny the possibility of, for instance in my area, Westmoreland County, being able to register at an Allegheny County fair, when we have thousands of our people going there, and we do not hold such a fair in our area.

Mr. A. D. WILLIAMS, Jr. Mr. Speaker, will the gentleman tell me whether or not it is a fact that the people who would register in these three suburban counties would in fact have to be legal residents of Philadelphia?

Mr. PETROSKY. Oh, yes, they would have to be legal residents of Philadelphia in order to register with the Philadelphia registration commission.

Mr. A. D. WILLIAMS, Jr. And legally, Mr. Speaker, this would mean that they at least spend their sleeping hours in the city of Philadelphia, would it not?

Mr. PETROSKY. Agreed.

Mr. A. D. WILLIAMS, Jr. So, these people are available in the city of Philadelphia for a sufficient period of time to reach a traveling registrar location, are they not?

Mr. PETROSKY. This is agreed as well.

Mr. A. W. WILLIAMS, Jr. Under the provisions of this proposed act, would it be possible to set up the registration location at, for instance, Sun Ship in Delaware County, in the city of Chester?

Mr. PETROSKY. Yes, it would.

Mr. A. D. WILLIAMS, Jr. And at any other large industrial manufacturing plant located in any of these three suburban counties?

Mr. PETROSKY. Yes, it would.

Mr. A. D. WILLIAMS, Jr. Mr. Speaker, does the gentleman know whether in fact there are at the present time any traveling registrar locations at large industrial sites in any of those three counties?

Mr. PETROSKY. No, not to my knowledge. I do not find anything wrong with this. I think it would be a good thing.

Mr. A. D. WILLIAMS, Jr. Will the gentleman admit that there have, at certain times, been people who have been fraudulently registered to vote in the State of Pennsylvania?

Mr. PETROSKY. Well now, I would submit to the gentleman that has been true in a degree in possibly every one of the 67 counties. But I submit that this does not provide for any fraudulent registrations. This provides for the same registration as the present act provides, with the exception that it extends the convenience to the people who want to register, as I indicated earlier.

Mr. A. D. WILLIAMS, Jr. Mr. Speaker, does the gentleman think that fraud is more likely to occur when a person attempts to register in the community in which he lives and in which he is supposedly known, or when he tries to register in a strange community?

Mr. PETROSKY. No, no, I would not agree to this. I think the gentleman is assuming something here which, I believe, our election laws and our Penal Code ade-

quately take care of. I do believe that with the surveillance we have today on elections that nobody is going to go out there and purposely commit fraud in registration. You know what the penalties are in this area.

Mr. A. D. WILLIAMS, Jr. Do I understand the gentleman from Westmoreland to say there are penal provisions in the laws of Pennsylvania which would be applied to those people who do register fraudulently?

Mr. PETROSKY. I am not a lawyer. However, as I stated, there are sufficient penalties written in the Election Code for fraudulent registration. Whether they are specified in the Penal Code or not I would have to refer you to one of the able lawyers in the House to answer this question. As to the existing law, I would not know, just being a layman.

Mr. A. D. WILLIAMS, Jr. Mr. Speaker, I do have a question which I think the gentleman can answer regardless of whether or not he is a lawyer. Is the gentleman from Westmoreland familiar with the fact that there are 67 different counties in Pennsylvania with 67 different district attorneys?

Mr. PETROSKY. Yes, that is true.

Mr. A. D. WILLIAMS, Jr. Would the gentleman tell me if an individual, allegedly a resident of Philadelphia, should register in the County of Bucks in a fraudulent manner, would this be a crime for which he would be indicted and prosecuted by a grand jury and a district attorney of the County of Bucks or the County of Philadelphia?

Mr. PETROSKY. Mr. Speaker, the gentleman is assuming that the act is set up to register people fraudulently. I maintain that no person would register fraudulently. This may be true in your area; however, I know it is not true in my area.

Mr. A. D. WILLIAMS, Jr. Mr. Speaker, is the gentleman willing to state on the floor of this House that nobody in Pennsylvania is registered fraudulently?

Mr. PETROSKY. To my knowledge, yes, I will state it that way.

Mr. A. D. WILLIAMS, Jr. And that no one ever would?

Mr. PETROSKY. And I would state that I do not believe any of our citizens of the Commonwealth would so do.

Mr. A. D. WILLIAMS, Jr. And, therefore, we need no laws to provide criminal penalties for fraudulent registration.

Mr. PETROSKY. I did not say that.

Mr. A. D. WILLIAMS, Jr. Would, then, the gentleman say that we do need laws that would punish fraudulent registration, is that correct?

Mr. PETROSKY. I would be willing to support such a bill if the gentleman would present it to the House here.

Mr. A. D. WILLIAMS, Jr. And my question is, does House bill 1555 make such a provision, and does it tell us in which county this crime would occur?

Mr. PETROSKY. There is no question that the crime, in the event that it did occur, would occur in the county in which the registrars were sitting.

Mr. A. D. WILLIAMS, Jr. And these registrars would be residents of Philadelphia, would they not?

Mr. PETROSKY. That is right.

Mr. A. D. WILLIAMS, Jr. Appointed by the Philadelphia registration commission?

Mr. PETROSKY. Again, the gentleman is assuming

that the registrar is going to accept a fraudulent registration. I say that the bill does not indicate anything on this matter. I submit that the bill is set up mostly for the convenience of people working out of the city or who do their shopping outside of the city, and it would give them a convenient place to register so they could cast their ballots at the election.

Mr. A. D. WILLIAMS, Jr. Mr. Speaker, I thank the gentleman.

I would like to make a brief statement in regard to the bill.

The SPEAKER. The gentleman is in order.

Mr. A. D. WILLIAMS, Jr. Mr. Speaker, the citizens of any party residing in the suburban or bedroom counties surrounding Philadelphia have for years feared the encroachment of the big city. Now this fear may be justified or not, but I thank the majority party, if they pass this bill, for giving the members of my party in these three counties their greatest campaign weapon I have seen in years. This is one more step by the Philadelphia city administration to increase their control and power in these suburban counties.

I think you are making a mistake if you pass this legislation.

Now I tried to point up the possible difficulties which would occur when Philadelphians, appointed by the registration commissions, come into these suburban counties to register people who are residents, supposedly, of Philadelphia. Those records will be kept in Philadelphia and yet the gentleman from Westmoreland states if the crime of fraudulent registration did occur, it would be a matter for prosecution by the authorities of Bucks County which would have limited access to those records.

This is a step in the wrong direction. I would support any legislation which would encourage and make more convenient the registering of the citizens of Philadelphia or in any other county in this State. I think we can open the registration offices for more hours, for more days, in more locations, but I think people should register to vote in the communities in which they live.

I think we should defeat this bill. Thank you.

The SPEAKER. The Chair recognizes the gentleman from York, Mr. Gross.

Mr. GROSS. I would like to interrogate Mr. Petrosky, please.

The SPEAKER. Will the gentleman from Westmoreland permit himself to again be interrogated?

Mr. PETROSKY. I shall, Mr. Speaker.

Mr. GROSS. Mr. Speaker, did I understand the gentleman to say there is always a Republican and a Democrat at the registrar's office to register prospective voters?

Mr. PETROSKY. Mr. Speaker, I cannot hear the gentleman.

The SPEAKER. The gentleman asked whether always a Republican and a Democrat is present when they are registering voters.

Mr. PETROSKY. Yes, I understand the question which the Speaker has repeated.

Mr. Speaker, yes. I can speak for my county. At every sitting of the registration commission we have a Democrat and a Republican and both have sitting registrars, Democrat and Republican, who select their own clerks when needed. Now in special instances, any one of our county commissioners, which serve as the registration

commission, can sit individually on a scheduled registration.

Mr. GROSS. Mr. Speaker, I have long maintained that there is no better county in this Commonwealth than York County. Maybe I am wrong. But in York County this is not the case. As I get to these registration offices as I travel around, this is never the case. They are all 100 per cent Democratic, and of course, I don't like it.

One more question, Mr. Speaker. Is it State law that both parties be represented when they register prospective voters?

Mr. PETROSKY. This bill does not change the present law whatsoever. In my county we feel that we are doing a good job in a bipartisan effort, and I would advise the gentleman that our registration figures show that better than two to one are registered Democratic. This is the way we do it. We believe in being fair.

Mr. GROSS. I appreciate the gentleman's statement, but I understood him to say there is always a Republican and a Democrat present to register prospective voters. I ask him this question: Is that State law today?

Mr. PETROSKY. The State law today provides that the county commissioners, who are the registration commission, in 65 counties—the other two have registration commissions set up otherwise—that it is the prerogative of the county commissioners to set up the registration schedule of traveling registrars, or local registrars. In the event that you have such a condition, I would suggest to the gentleman that you work that out either locally or present a bill, and I would be happy to support your position.

Mr. GROSS. Mr. Speaker, one more question. In your opinion, how many counties outside of your county, if any, have both parties represented on the registration board. Does the gentleman know?

Mr. PETROSKY. I have had no experience with other counties, but I would suggest to the other counties, especially the Democratic ones, that they use the same system as we do because it has done a terrific job for us in registration. We have gained continually in the last 30 years that I have been in the political arena, so to speak, and we have used this system. I would suggest that the other parties use it if they are not so doing.

Mr. GROSS. That is all. I thank the gentleman.

Mr. Speaker, I would be happy to check on the gentleman's motions, especially in York County. In York County this is not practiced; it is not followed; it is strictly a one-party setup. Why, I cannot tell you.

But the gentleman in his earlier remarks, made the remark that registration booths are manned by both Republicans and Democrats. I say it is not true over the State of Pennsylvania.

Thank you.

Mr. GALLAGHER. Mr. Speaker, I would like to interrogate the gentleman from Bucks, Mr. Williams.

The SPEAKER. Will the gentleman from Bucks, Mr. Williams, permit himself to be interrogated?

Mr. A. D. WILLIAMS, Jr. I shall, Mr. Speaker.

Mr. GALLAGHER. I wonder if the gentleman from Bucks, Mr. Williams, would show me where in this bill it gives Philadelphia any powers over the suburban counties.

Mr. A. D. WILLIAMS, Jr. Mr. Speaker, I do not believe that I at any time stated that this bill actually gave Philadelphia any power over the suburban counties. It gives Philadelphia the right to come into the suburban

counties and do things which allegedly are for Philadelphia. It gives Philadelphia rights which Philadelphia does not presently have in Bucks County, in Montgomery County, and in Delaware County. These are new rights that this bill would give to them.

Mr. GALLAGHER. Will the gentleman show me in the bill wherein it provides any encroachment upon the rights and welfare of the citizens of Bucks, Montgomery, Delaware, or Chester Counties?

Mr. A. D. WILLIAMS, Jr. I think I have only to refer to last November's elections to show the gentleman that.

Mr. GALLAGHER. Would the gentleman repeat that? I did not hear him.

Mr. A. D. WILLIAMS, Jr. I think anything that we people in the suburban counties do to make it possible for Philadelphia to do an even better job, or worse, depending on how you look at it, would be to the detriment of the suburban counties, in fact, all the other counties in Pennsylvania.

Mr. GALLAGHER. Do I take it then, Mr. Speaker, that it is your opinion that if the people of Philadelphia continue to vote Democratic that is to the detriment of the people in suburban counties?

Mr. A. D. WILLIAMS, Jr. Well, of course, it would, but, Mr. Speaker, all I am trying to point out is that I think this is a basic home rule situation here, that people should register in the neighborhood and in the community in which they live. That is where the chances of detecting fraud are best. That is where, traditionally under our system of government, they were supposed to register, and I think this is a good system. It has worked and I think it should continue.

I am all in favor of making it more convenient for Philadelphians to register, because I hope that some of them will be Republicans, but I think you can do this within the city limits. We in Bucks will continue to register our people in our county.

Mr. GALLAGHER. Mr. Speaker, the gentleman has intimated that this type of registration would bring about fraudulent registration, I assume from his remarks, because the registrars would be sitting in an area not adjacent immediately to the area in which the person resides. Will the gentleman tell me, in Bucks County do we not have traveling registrars where the registrars themselves are not basically domiciled in the area in which they sit to receive registrations, and that they themselves do not personally know that a party who comes and offers himself, represents himself, as being a resident of that area is actually a resident of that area?

Mr. A. D. WILLIAMS, Jr. Mr. Speaker, I would like to answer the gentleman.

First I want to clear up a misunderstanding in his statement. I did not say that this bill would cause fraud. I said that under this bill fraud could more easily occur and I think that is a truism.

The gentleman is correct that the traveling registrars in Bucks County or in any other county do travel throughout the County; obviously, they do not know everyone in the county. I say that fraud in voters registering is more likely to be detected if the person is forced to register in the community in which he or she lives and resides.

Mr. GALLAGHER. Will the gentleman show me how it is more likely to be detected under those circumstances?

Mr. A. D. WILLIAMS, Jr. I cannot tell the gentleman

how. I just know that it is a truism that when you are known in your community there is a better chance of people finding out things that are going on that are not right. I cannot say that the present system is perfect. I have not said that at any time in debate. I do say that this would make the present system worse.

Mr. GALLAGHER. Will the gentleman agree with me that the traveling registrars in any area are not expected nor can they know every person who comes before them whether or not they live in a certain area?

Mr. A. D. WILLIAMS, Jr. The answer is simple. The traveling registrar sits in various places in the shopping center in Levittown. Now the traveling registrars may come from the northern section of Bucks County and have never met anyone who lives in Levittown. But the people who are there on registration day, if a good job is done by both major parties, are the local Democratic committeeman and the local Democratic committeewoman, the Democratic Party workers. Also there are the Republican committeeman, the Republican committeewoman, and I hope many Republican workers. It is these people in that community who are most likely to be able to detect the fraudulent registration and to object to it at the time it occurs. But if a person walks in who lives in South Philadelphia and says, "I want to register," there will be no one there to prevent that person from registering if in fact he does not live in Philadelphia.

Mr. GALLAGHER. Will the gentleman agree that the bill itself, as it is written, does not in any way jeopardize or encroach upon the rights and privileges, the welfare of the people of the suburban counties?

Mr. A. D. WILLIAMS, Jr. I will not, Mr. Speaker. I think that it does.

Mr. GALLAGHER. Will the gentleman show me where it encroaches upon or jeopardizes their rights?

Mr. A. D. WILLIAMS, Jr. Mr. Speaker, I have done as well as I can. If the gentleman is not satisfied with my position, so be it, but my position remains as it has been.

Mr. GALLAGHER. Mr. Speaker, the gentleman's position is very ambiguous if based on the assumption that this is some favor or effort to take over the counties surrounding Philadelphia. I think perhaps he protests too wildly.

Mr. A. D. WILLIAMS, Jr. Mr. Speaker, if I may reverse the interrogation with the gentleman from Bucks' permission, I would like to ask him one question.

Mr. GALLAGHER. I would be delighted to oblige.

Mr. A. D. WILLIAMS, Jr. Will the gentleman, who, I understand, is co-sponsor of this bill, explain to me how this bill helps Bucks County?

Mr. GALLAGHER. Mr. Speaker, this is a package, and I must digress and speak about a companion bill that is coming along that will give us the same rights as this bill gives to Philadelphia.

I feel, personally, that this bill will benefit Bucks because it will give more people the opportunity to register and vote which always makes for good government in our Commonwealth. Apparently the gentleman is afraid of this because he is trying to put a deterrent in the way of possible voters in registering. I can see no problem and no harm if the traveling registrars sit up in, say, the Fairless works in the township to register the people who work there who live in Philadelphia. I see nothing wrong with extending every opportunity to the citizens of the

Commonwealth to give them a chance to register and exercise their franchise. This dream or illusion that this is some scheme on the part of the city of Philadelphia to encroach upon the rights and welfare of the citizens of suburban counties is just what you said it was—a campaign speech. It is not fact. It is not the language of the bill; it is not the intent of the bill.

Mr. A. D. WILLIAMS, Jr. Mr. Speaker, I understand the gentleman agrees with me that this is a campaign issue and I am satisfied with my side of this issue.

Mr. GALLAGHER. Mr. Speaker, this may be a campaign issue, or the gentleman may try to make it a campaign issue, but this comes back and might turn out to be a great tool to register more Democrats, I am certain. I thank the gentleman.

Mr. A. D. WILLIAMS, Jr. I thank the gentleman.

The SPEAKER. Does the gentleman from Montgomery, Mr. Fetterolf, desire to be recognized?

Mr. FETTEROLF. Mr. Speaker, I do. I would like to make a very brief statement.

This bill which we are now considering amounts to a deadly potion being offered the suburbs by the generous city of Brotherly Love. Later, when we consider another registration bill on this calendar, we will be offered the sugar.

The SPEAKER. The Chair recognizes the gentleman from Westmoreland, Mr. Petrosky.

Mr. PETROSKY. Mr. Speaker, with the indulgence of the House and in the area of trying to save time, I would like to speak very briefly on this bill and the companion bill inasmuch as they do the same thing.

The SPEAKER. If there is no objection, the gentleman will be permitted to discuss the package of which this bill is presumably a part. The Chair hears no objection. The gentleman from Westmoreland will proceed.

Mr. PETROSKY. Mr. Speaker, having worked together with several members of the Election Committee of this House, I believe that I was possibly, not primarily responsible, but responsible in parts for the suggestions of the contents that are contained in House bills Nos. 1555 and 1797, which, in effect, would permit registration commissions of an adjoining county to have registrars. It would be two or more registrars, and I want to single that wording out because this would, in essence, permit the sitting of a registrar that would be a Democrat and a registrar that would be a Republican, in an adjoining county, when such a sitting in an adjoining county would inure to the great convenience of a large number of citizens that could become registered to cast their ballots at the next and succeeding elections. I believe that this is a good idea. It is in line with all of our thinking, Republicans and Democrats alike, in an endeavor to most efficiently place upon the election registers the greatest possible number of electors which we all agree makes for better government and for no other purpose than just that.

This bill was not conceived with any thoughts of encroachment upon any adjoining counties, and by none of its wording can anyone infer that. I believe it is a step in the right direction; it is good government; it is in line with the thinking of both parties, and I would be hopeful, and I submit to this House, that you would think as I do on this matter and give it your favorable consideration.

Mr. Speaker, I ask both sides of this House to vote favorably upon the measure before us. Thank you.

Th SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. A. M. Lee.

Mr. A. M. LEE. Mr. Speaker, just briefly in connection with this bill, I would like to point out some things that may perhaps clarify some of the discussions we have had in connection with it.

In my legislative district, in the city of Philadelphia, which happens to be one of the fifty-nine wards, we in the course of a year have the traveling registrars in our ward for a total of somewhere between six and eight days, each and every year between the hours of 1 o'clock and 9 o'clock in the evening. On each one of those days, there are registrars at any place from four to eight different locations. In addition to that, in our general area, there is a permanent location which is located in town hall in Germantown, where, for a period of several months, anyone can go during appointed hours and register.

I would also like to point out that the registration commission in the city of Philadelphia provides for watchers in connection with registration. When I have registration in my community, I get a watcher's certificate signed by the registration commission and it points up the objections raised by the gentleman from Bucks, Mr. A. D. Williams, that if we are going to have this registration in the surrounding counties and surrounding areas, those watchers would have to travel a long distance to be there and they would have no assurance that the people who would be coming in to register would be the residents of their particular area. The point I am making is, that if we limit this registration to the local home community, it offers the best opportunity for preventing fraud.

Now I would like to point out one other thing about this bill. If we are going to have these locations in surrounding areas, the most important thing is the additional cost, as far as the registration commission is concerned in the city of Philadelphia. Within the city registration is very generally carried out by having the registrars in the local public schools, which entail no cost of any kind to the registration commission, because the school district makes these facilities available to them without cost. If we go out in the surrounding areas there is a possibility that payments may have to be made for a building or other suitable locations for these registrations.

Now it seems to me that it is very simple if we are going to have these additional locations in the surrounding counties, it is going to cost the registration commission and the taxpayers of the City of Philadelphia more money. If the registration commission tries to handle this within the limits of their present appropriation, it means that, in my area and every other area in the city of Philadelphia, they will have to cut down on the days and the locations in order to make this possible. I think the registration commission of the city of Philadelphia has gone to great lengths to try to make it convenient for everyone who wants to, to qualify to vote. As far as I am concerned, for the reasons I stated, I think this bill is wholly and absolutely unnecessary as far as the people of the city of Philadelphia are concerned, and I hope the members will vote it down.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Dougherty.

Mr. DOUGHERTY. Mr. Speaker and members of the House, just to clear up one little thing that Mr. Lee said in regard to the chances of fraud. You can register in any

part of Philadelphia. Mr. Lee's district is at the extreme lower end of Philadelphia and I am at the other end, and you can register in Mr. Lee's district and live in my district. Travelling registrars travel to the borders of these surrounding counties and it is not going to be much more of an expense for the one extra mile. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Blair, Mr. Holliday.

Mr. HOLLIDAY. Mr. Speaker, I would like to interrogate Mr. Petrosky.

The SPEAKER. Will the gentleman from Westmoreland permit himself once again to be interrogated?

Mr. PETROSKY. I will, Mr. Speaker.

Mr. HOLLIDAY. Mr. Speaker, I believe the gentleman from Westmoreland said that it would be possible under the law for Philadelphia registrars to go into an industrial concern like Sun Shipbuilding, Chester, and register. Is that correct?

Mr. PETROSKY. This is correct. If they can procure the space in the building to set up for the registering of voters which would be a convenience for the people who work there.

Mr. HOLLIDAY. Mr. Speaker, that industry is in the same county that Philadelphia is. Now, would the Philadelphia registrars have to get the approval of the commissioner of, say, Montgomery County or Chester County before they can come into their county to register?

Mr. PETROSKY. Not under this act, because we would not be registering the people of that county. We would be registering the people of their own county.

Mr. HOLLIDAY. Well then, let us take the fair grounds. Supposing there is a fair in Montgomery County and Philadelphia decides to put registrars in that fair grounds for that day. Now supposing Bucks County, Chester County, Delaware County, and all the rest of the surrounding counties decide to put registrars in there the same day?

Mr. PETROSKY. There would be nothing wrong with that.

Mr. HOLLIDAY. I think you would have a fine mess. Everyone would be mixed up. You would have people registering from all sorts of counties.

Mr. PETROSKY. I believe that that is very far fetched because certainly a resident of Chester County would not register in Delaware County and a resident of Philadelphia would not register in Bucks County because then he could not cast his ballot.

Mr. HOLLIDAY. Mr. Speaker, your registrar is from Philadelphia, say, in this industrial plant and they register both Republicans and Democrats, how do they know as to where the people live that they are trying to register? What precinct?

Mr. PETROSKY. They would use the same manner of registering the people that they do now. Mr. Dougherty pointed it out and the same prevails in my county. In the event that a resident of the second legislative district in the extreme northern tip of Westmoreland County would happen to be in the extreme southern tip which is the third legislative district and which is fifty-two miles away, all he has to do is go in, talk to the registrar, tell him where he lives, what precinct he is in, what city, borough or township he is in and he would so become registered. The same thing would prevail in a fair grounds situation. A booth would be set up as a Philadelphia

registration booth. Now, if there would be one, as you say, involving a number of booths that will be registering voters and there will be a lot of confusion, each respective county would have its own booth and it would be marked. It is only natural, as it is within your own county today, that the person registering must indicate to the registrar his residence address, and the same would prevail if this bill became law.

Mr. HOLLIDAY. You would be registering them inside the plant, would you?

Mr. PETROSKY. Yes, you could if you could get the space to have the registrars. I see nothing wrong with it because it is a tremendous convenience for those people and we would get more people enrolled on our election registers to vote in the following election.

Mr. HOLLIDAY. Mr. Speaker, we register people in our county and we register them at shopping centers, department stores, and so forth, but, if a person comes in and says that they are from another county, we do not attempt to register them. They have to be residents of Blair County before they are registered and the same thing holds true with any other section of the State. I do not believe that any registrar should come into any other county and try to register people even though those people are from that particular county.

Mr. PETROSKY. Mr. Speaker, may I answer the gentleman and say that this bill does not allow anyone from Philadelphia to register somebody for Bucks County. This is not so. The registrar out of Blair County, under this bill, if he were sitting in the adjoining county of Cambria, say, he could not register anyone from Cambria County. He would only be able to register Blair County residents. We are a bit confused here.

Mr. HOLLIDAY. I cannot see any necessity for a registrar from one county coming into another county to register the people. Those people should be registered, should be made to register, in their own section where they are known and where the people know that they live in that particular section. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the lady from Philadelphia, Mrs. Pashley.

Mrs. PASHLEY. Mr. Speaker, I live in a section of Philadelphia, in fact, it is my own division, where it would be more convenient for the people in my division to register in Montgomery County because I live less than one block out of Montgomery County. It would be to their advantage to have something like this when they are shopping at the Penn Fruit or in the Huntington Valley to be able to register there than it would be in the city of Philadelphia.

The SPEAKER. The Chair was about to recognize the gentleman from Philadelphia, Mr. Sherman, who had been asking for recognition for some time.

Mr. TOMPKINS. I yield to the gentleman.

Mr. SHERMAN. I shall yield temporarily to Mr. Tompkins.

The SPEAKER. The gentleman from Philadelphia, Mr. Sherman, yields to the gentleman from Cameron, Mr. Tompkins.

Mr. TOMPKINS. I yield to the gentleman from Mercer, Mr. Down, who seems to have a question on his mind.

The SPEAKER. Mr. Sherman has the floor.

Mr. SHERMAN. I will yield temporarily to Mr. Down. Mr. DOWN. Thank you.

Mr. Speaker, I just want to ask a question. Could I interrogate Mr. Petrosky?

The SPEAKER. Will the gentleman from Westmoreland, Mr. Petrosky, permit himself to be interrogated?

Mr. PETROSKY. I shall, Mr. Speaker.

Mr. DOWN. Mr. Speaker, did I understand the gentleman to say that you could set up a registration place within a plant, for instance, under this bill?

Mr. PETROSKY. That is correct.

Mr. DOWN. In other words, I, not being a worker in that plant, could not register there?

Mr. PETROSKY. How is that, sir?

Mr. DOWN. Well, a plant usually has a fence around it and armed guards, and so forth, and I, as an individual citizen and not a worker in that plant, could not register there, is that right?

Mr. PETROSKY. This is correct although there would be other registration booths that could be placed that would be convenient to a person who did not work at the plant.

Mr. DOWN. Well, suppose I was in the district at that time and it might be convenient, could I get in there to register?

Mr. PETROSKY. No, you could not.

Mr. DOWN. That is the objection that I have to this bill. We went through this in Mercer County. The Democratic commissioners in Mercer County set up registration in a plant in Mercer County, and I was a party to an injunction to stop it, and the judge ruled that they could not register inside the plant because it was not open to the public.

Mr. PETROSKY. Mr. Speaker, may I answer that in this way, that this arrangement could be made by mutual consent of the registration commission and the plant management, and certainly I am of the opinion that a plant management, feeling as we do about wanting everybody to be accommodated and to be given every possible opportunity to register, I believe that they would so agree, and the registration booth could be placed in such a location that a person from the outside coming in would not interfere with the operations of the industrial plant.

Mr. DOWN. The reason that I protest this bill is, you said that this could be done, but in Mercer County they set up a registration booth in the Westinghouse plant. I called the Westinghouse officials and said that I had a couple of people that I wanted to register, and could I register them. They refused to let me in the plant. That was the reason for the injunction.

I oppose the bill and hope that everyone in the House votes against it.

The SPEAKER. The gentleman from Philadelphia, Mr. Sherman, still has the floor unless he again yields.

Mr. SHERMAN. I yield to Mr. Tompkins temporarily.

The SPEAKER. The Chair recognizes the gentleman from Cameron, Mr. Tompkins.

Mr. TOMPKINS. I thank the gentleman.

Mr. Speaker, I should like to interrogate the gentleman from Westmoreland, Mr. Petrosky.

The SPEAKER. Will the gentleman from Westmoreland once again permit himself to be interrogated?

Mr. PETROSKY. I shall, Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, on page 3 of the bill, it says, beginning on line 2:

... provide one or more places of registration in each

or any county city borough or township which is immediately adjacent to the city of the first class . . .

Now, my question is this: It is my understanding that the Garden City race track is located in a city adjoining Philadelphia, in the State of New Jersey. Could the registrars go over to the Garden City race track and register Philadelphia registrants?

Mr. PETROSKY. They could not.

Mr. TOMPKINS. Could they go the factories in Camden, such as Campbell's Soup and RCA, and conduct registration?

Mr. PETROSKY. They could not.

Mr. TOMPKINS. I thank the gentleman.

The bill reads differently, however; it does not limit it to Pennsylvania.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Sherman.

Mr. SHERMAN. Thank you, Mr. Speaker.

I do wish the members of the House would have a little more brotherly love and consider it as such.

We often hear arguments about passing state lines, city lines; eventually, we will not even be in a position to pass our own house if this keeps up.

I am not as familiar with conditions and with the registration commissions, for registration outside of Philadelphia as I am in Philadelphia, but I sincerely state, and those who are familiar with it know, that the registration commission in Philadelphia consists of both Republicans and Democrats, that the registrars who are sent out are both Republicans and Democrats. We also have a situation, not only in Philadelphia and in Bucks, Delaware and Chester Counties, but other counties, that when the newspapers advertise in Philadelphia, they advertise a store, whether it is in Delaware County or Montgomery County or Bucks County, and I am sure that conditions are the same as far as the other counties are concerned. We should not have these regional breakdowns, as such.

Also in Philadelphia, to prevent any possible fraud, the registration commission, after a party has identified his signature and the card comes back, and his signature is noted on the books, a special card is sent out by the registration commission, which card cannot be sent to any other address than the address given, to verify the particular party to see whether he resides at the particular address he has given in the city of Philadelphia.

Now with all these restrictions and others that go on at the present time in an effort to eliminate any possible fraud, and also at the same time declare that a party may pass his own house, pass his own street, pass his own ward and go into another county, if necessary, and bring a little brotherly love in there, I can see no reason for opposition to a bill of this kind.

LEAVE OF ABSENCE WITHDRAWN

The SPEAKER. The Chair recognizes the gentleman from Berks, Mr. Heffner.

Mr. HEFFNER. Mr. Speaker, before the roll call vote is taken the leave of absence which was requested for me earlier this morning may now be cancelled.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—91

Anderson, S. A.,	Gelfand,	McDevitt,	Riley,
Bachman	Gray,	McKeever,	Rovansek,
Boies,	Greenlee,	McLaughlin,	Rubin,
Bonner,	Gremminger,	McNally,	Rudisill,
Branca,	Guesman,	Meholchick,	Sakulsky,
Breth,	Hamilton,	Mills,	Scarcelli,
Capano,	Hankins,	Monroe,	Schaaf,
Cauley,	Hartley,	Morley,	Schuster,
Cianfrani,	Heavey,	Mullen,	Shelton,
Clarke,	Irvis,	Murphy,	Sherman,
Comer,	Jim,	Murray,	Shupnik,
Cooley,	Jones,	Musto,	Stank,
Crossin,	Kamyk,	Needham,	Stone,
Curwood,	Kelly,	O'Donnell, J. A.,	Sullivan, J. A.,
Dougherty,	Lamb,	O'Donnell, J. P.,	Sullivan, T. F.,
Doughten,	Lawson,	Parlante,	Taylor,
Farabaugh,	Leonard,	Pashley,	Tomasclik,
Flo,	Limper,	Perry,	Verona,
Flynn,	Long, Wm. Jas.,	Polaski,	Wargo,
Foerster,	Long, Wm. Jos.,	Polen,	Welsh,
Frascella,	Lutty,	Prendergast,	Yetter,
Fry,	Maxwell,	Reibman,	Andrews,
Galley,	McCormack,	Renwick,	Speaker

NAYS—98

Adams,	Fox,	Kistler,	Rutherford,
Anderson, J. H.	Fulmer,	Knecht,	Seltzer,
Ashton,	Gallagher,	Kooker,	Simmons,
Auker,	George,	Korns,	Snare,
Backenstoe,	Gibbons,	Lee, A. M.,	Steckel,
Blair,	Goldstein, J. H.,	Lee, K. B.,	Stimmel,
Bossert,	Goldstein, M. H.,	Lippincott,	Stiteler,
Bower,	Goodrich,	Manbeck,	Thompson,
Bowman,	Gramlich,	Markley,	Tompkins,
Buchanan,	Gross,	Marsh,	Ujobal,
Bush,	Guthrie,	May,	Varnier,
Davis,	Hefner,	McCandless,	Wall,
Dengler,	Helm,	McCann,	Weldner,
Dennison,	Henzel,	McInroy,	Wescott,
Donaldson,	Hocker,	Merry,	Whittaker,
Down,	Holl,	Miller,	Willard,
Edwards,	Holliday,	O'Dell,	Willaredt,
Elberg,	Holman,	Odoriso,	Williams, A. D.,
Elvey,	Horst,	Ogilvie,	Williams, E. S.,
Eshback,	Isaacs,	Petrosky,	Wood,
Eshleman,	Johnson, A. W.,	Piper,	Worley,
Esler,	Johnson, R. P.,	Price,	Wynd,
Ewing,	Kelser,	Pursley,	Zember,
Fetterolf,	Kernaghan,	Royer,	Zimmerman,
Foor,	King,		

NOT VOTING—21

Arlene,	Jenkins,	Magee,	Slack,
Capitolo,	Kessler,	McDonald	Strausser,
Cioffi,	Klein,	Mihm,	Trusio,
Fineman,	Kornick,	Munley,	Walsh,
Gibb,	Kramer,	Reidenbach,	Wilt,
Haudenshield,			

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

VALLEY CAMP COMMUNITY CIRCLE
WELCOMED

The SPEAKER. The Chair notes the presence in the gallery of a delegation of women who are members of The Valley Camp Community Circle, New Kensington, Westmoreland County. They are the guests of the gentleman from Westmoreland Mr. Sakulsky.

The SPEAKER. The Chair recognizes the gentleman from Westmoreland, Mr. Petrosky.

Mr. PETROSKY. Mr. Speaker, just a brief statement. At this time we will not run the other bill in the package inasmuch as it appears we will need 106 of our votes on the floor to pass this good government legislation.

The SPEAKER. There are some bills the Chair would

like to sign. Would the gentleman from Armstrong come to the desk while I get the bills signed?

Mr. HELM IN THE CHAIR

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1609, entitled:

An Act to ascertain and appoint the fees to be received by the prothonotary of the court of common pleas of the Commonwealth in counties of the third class to provide the time of paying the same and to repeal certain acts.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—170

Adams,	Frascella,	Lippincott,	Renwick,
Anderson, S. A.,	Fulmer,	Long, Wm. Jas.,	Riley,
Ashton,	Gallagher,	Long, Wm. Jos.,	Rovansek,
Bachman,	Gelfand,	Lutty,	Rubin,
Backenstoe,	George,	Manbeck,	Rudisill,
Blair,	Gibbons,	Markley,	Rutherford,
Boies,	Goldstein, J. H.,	Marsh,	Sakulsky,
Bonner,	Goodrich,	Maxwell,	Scarcelli,
Bossert,	Gramlich,	May,	Schaaf,
Bower,	Gray,	McCann,	Schuster,
Bowman,	Greenlee,	McCormack,	Seltzer,
Branca,	Gremminger,	McDevitt,	Shelton,
Breth,	Guesman,	McDonald,	Sherman,
Buchanan,	Guthrie,	McInroy,	Shupnik,
Capano,	Hamilton,	McKeever,	Simmons,
Cauley,	Hankins,	McLaughlin,	Snare,
Cianfrani,	Hartley,	McNally,	Stank,
Cioffi,	Heavey,	Meholchick,	Steckel,
Clarke,	Hefner,	Merry,	Stimmel,
Comer,	Helm,	Mills,	Stone,
Cooley,	Henzel,	Monroe,	Sullivan, J. A.,
Crossin,	Hocker,	Morley,	Sullivan, T. F.,
Curwood,	Holl,	Mullen,	Taylor,
Davis,	Irvis,	Murphy,	Tomasclik,
Dengler,	Isaacs,	Murray,	Ujobal,
Dennison,	Jim,	Musto,	Varnier,
Donaldson,	Johnson, R. P.,	Needham,	Verona,
Doughten,	Jones,	O'Dell,	Wall,
Down,	Kamyk,	O'Donnell, J. A.,	Wargo,
Edwards,	Kelly,	Odoriso,	Weldner,
Elberg,	Kernaghan,	Ogilvie,	Wescott,
Elvey,	Kelser,	Parlante,	Willard,
Eshback,	Kistler,	Pashley,	Willaredt,
Eshleman,	Knecht,	Perry,	Williams, A. D.,
Esler,	King,	Petrosky,	Williams, E. S.,
Ewing,	Kooker,	Piper,	Wood,
Farabaugh,	Kornick,	Polaski,	Wynd,
Fetterolf,	Lamb,	Polen,	Yetter,
Flo,	Lawson,	Prendergast,	Zimmerman,
Flynn,	Lee, A. M.,	Price,	Andrews,
Foerster,	Lee, K. B.,	Pursley,	Speaker
Foor,	Leonard,	Reibman,	
Fox,	Limper,		

NAYS—18

Anderson, J. H.,	Gross,	Korns,	Tompkins,
Auker,	Holliday,	Miller,	Whittaker,
Bush,	Holman,	Stiteler,	Worley,
Galley,	Horst,	Thompson,	Zember,
Goldstein, M. H.,	Johnson, A. W.,		

NOT VOTING—22

Arlene,	Haudenshield,	McCandless,	Slack,
Capitolo,	Jenkins,	Mihm,	Strausser,
Dougherty,	Kessler,	Munley,	Trusio,
Fineman,	Klein,	O'Donnell, J. P.,	Walsh,
Fry,	Kramer,	Reidenbach,	Wilt,
Gibb,	Magee,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1596, entitled:

An Act amending the act of March 30, 1917 (P. L. 21), entitled "An act defining optometry and relating to the right to practice optometry in the Commonwealth of Pennsylvania and making certain exceptions * * *" conferring additional power on the State Board of Optometrical Examiners prescribing additional grounds for refusing cancelling revoking or suspending licenses further regulating and providing for the licensing of offices and branch offices of optometrists the renewal of licenses biennially and license fees to be charged therefor and their utilization.

On the question,

Will the House agree to the bill on third reading?

Mr. PETROSKY asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Title, page 2, third, fourth and fifth lines of Title, by striking out "prescribing addi—" in third line, all of fourth line, and "licenses" in fifth line of Title.

Amend Sec. 3 (Sec. 9), page 6, lines 4 and 5 by striking out "or ophthalmic materials"

Amend Sec. 3 (Sec. 9), page 6, lines 6 to 10 by striking out "[.]; (11) violation of any of the provisions of" in line 6, all of lines 7 to 9 and "citizens to become prey to professional exploitation," in line 10.

Amend Sec. 4, page 7, lines 16 to 19; page 8, lines 1 and 2 by striking out all of said lines.

Amend Sec. 5, page 8, line 3 by striking out "5" and inserting: 4

Amend Sec. 6, page 8, line 17 by striking out "6" and inserting: 5

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Westmoreland, Mr. Petrosky.

Mr. PETROSKY. Mr. Speaker, very briefly, the bill before us at the present time is House bill No. 1596, which amends the act of 1917 defining optometry and the act which provides in section 9, on page 5 of the bill, the specifically outlined categories in which the optometry board may refuse to grant a certificate of licensure to any applicant, as well as act upon cancellation, revocation or suspension of licenses.

Under the act there are ten provisions which in the wisdom of the legislative body were written in to provide the type of optometrical service to our people which would adequately safeguard their health and welfare. But the proposal before us goes further and in its amendatory language adds as number 11, violation of any rule or regulation promulgated under the authority of the board.

It further adds number 12 and states, "unprofessional conduct detrimental or dangerous to the public health, safety morals and welfare or of any form of pretense

which might induce citizens to become prey to professional exploitation."

I submit that my amendments take out proviso numbers 11 and 12, which I have just read for this reason, that we adequately have in the act the necessary limitations to provide for the safety, the health, morals and welfare, such as contained on page 5 of article 1, section 9, concerning (1) the peddling from house to house or person to person, (2) the establishment of temporary offices contrary to the provisions of this act, (3) the use of misleading advertising, (4) gross incompetency, (5) the obtaining of money by fraud, (6) misrepresentation of the optometrical profession in which untruthful statements are made, (7) the failure to deliver the certificates provided for in section six of the act, (8) the conviction of a crime involving moral turpitude, (9) habitual intemperance, and so on, and (10) the advertising of prices for professional services or glasses.

I submit that these are sufficient safeguards. Now we are being asked to delegate our legislative authority to allow the denial, the suspension or the revocation of a license because of any rule or regulation that might be placed by the board however outlandish that rule may be or however infinitesimal it might be. I do not believe this House wants to give up this prerogative in this area.

I submit to you further, Mr. Speaker, that the amendments go further. We find on page 7, under the main head of section 4, subsection 9.1; "The board shall have the power subject to the provisions of this act to promulgate such reasonable rules and regulations governing and promoting the professional practice of optometry as it deems necessary."

My amendments strike out in entirety section 9.1.

Why do I do this, Mr. Speaker? I submit that many of our people, basing this primarily on economics, or basing it upon the fact of what our people want to do, who want to go to an optometrist, go to an optometrist. The person who wants to go to an ophthalmologist, goes to the ophthalmologist.

Why should we, in effect, Mr. Speaker, provide the possibility of a rule or regulation by the board that would deny a person from going to a department store to a registered optometrist and having his refraction or examination, whichever you would call it, which is a simple matter to perform, why should we allow the possibility of such a rule being passed to deny this? We have so many of our people who want to walk into a store, have their examination, be given proper service and procure their glasses, or whatever service they need. We too have many people who will walk into a five-and-dime store, and is it not so that 95 or 99 percent of the examination is by the individual himself for the glasses that are continually put on?

Let us take a newspaper. A person walks into a store, takes a newspaper and selects some glasses and continually looks at the newspaper until they can have the best possible vision with that glass and this is the way those people want to do it. Why then should we deny them the privilege to go and procure this service in this manner because there would be a possibility of some rule or regulation which would deny the practice of optometry in this order or the sale of the ophthalmic materials in one of the stores?

Basically that is economics. I think we have sufficient

safeguards written into the act to protect the health and welfare of the people. We know it is professional service and I submit to the House I have not in one instance been accused in this area of services to our people of the Commonwealth. Not one have we got on record. Therefore, I would suggest that I do not believe there is a necessity for delegating the powers of this legislative body for the allowance of rules and regulations that could deny or harass any optometrist who was operating in other than a private office.

Mr. Speaker, this measure has been before this Assembly and measures of a like nature have been before other Assemblies. They have failed to pass because I believe, first, of the basic economics that prevail. Secondly, they failed to pass because I believe that our people would want less interference in the manner in which they would want to procure the services they need rather than a greater interference. Thirdly, I would submit it would be wrong in this field for this legislative body to delegate its authority to a board to promulgate rules and regulations which may harass the great majority of optometrists who are now practicing, for in effect there is approximately only one-third of the optometrists of the State of Pennsylvania who are registered optometrists, who belong to the association that sponsors this legislation. Out of all the 1,700 registered there are less than 600 that belong to the organization.

I would submit to this House that you do not delegate those powers to the board, that you continue to maintain those powers, and any regulation that is to be spelled out, let us spell it out in the act of the assembly and let that be a reason for revocation rather than give the board powers of rules and regulations.

Mr. Speaker and members of the House on both sides, I ask for your favorable consideration of the amendments I offer.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny, Mr. Boies.

Mr. BOIES. Mr. Speaker, this bill is a very simple bill.

The SPEAKER pro tempore. The question before the House is the amendment offered by the gentleman from Westmoreland, Mr. Petrosky.

Mr. BOIES. It is designed to do two things which these amendments are designed to rip out. If you pass these amendments there is no purpose to the bill, Mr. Speaker.

The bill says that it will give the board the power to enforce their own regulations and it sets up additional standards of professional conduct. These amendments are the most flagrant example of indirect assassination that I have ever seen, because they are designed for the purpose of protecting somebody's profit and designed to kill this bill.

The portion that the gentleman from Westmoreland wants to remove, in part says, 'dangerous to the public health safety morals and welfare or any form of pretense which might induce citizens to become prey to professional exploitation.' Now, I wonder if the gentleman from Westmoreland is in favor of professional exploitation and pretense detrimental to the safety, morals, and welfare of the citizens. That is what he is doing by this amendment. He is ripping that off so that the amendment gives the board power to promulgate and enforce such reasonable rules and regulations governing the practice of optometry as they set up.

I appeal to the House, ladies and gentlemen, this is nothing more nor less than giving the State board of optometry the power and the authority to enforce reasonable rules and regulations. I ask your support.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Lehigh, Mr. Stimmel.

Mr. STIMMEL. Mr. Speaker, I rise to support the position of Mr. Boies and oppose the amendments as offered by Mr. Petrosky. The gentleman from Westmoreland, Mr. Petrosky, has read into this bill as it exists, a number of superstitions and apprehensions that I just cannot read into the bill. I cannot for the life of me see how he can presume what reasonable rules and regulations a board might make when they have not that power at this particular time.

I want to call to the attention of the members that it is spelled out very clearly in this bill that the board should have the power to promulgate such reasonable rules and regulations governing their own business.

I would further like to call to your attention the fact that you are dealing with a professional board. All other professional boards in this Commonwealth have the right to promulgate those reasonable rules and regulations so the conduct of their members is above reproach. This bill is in the interest of the eye health of the public of Pennsylvania. These men are high-principled, they want to raise the level of their profession. This bill will do just that, nothing more. These are not good amendments, in my considered opinion, and I hope you will vote against the amendments. Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Blair, M. Auker.

Mr. AUKER. Mr. Speaker, I had not intended to speak on this bill, but the gentleman from Westmoreland, Mr. Petrosky, has raised a very vital question here, that is, when it comes to bureaus and departments to be given certain powers and certain things to do under an act. Now, as the question arises, and this affects practically all segments of the people of Pennsylvania, not only in this particular bureau, but in all your professional bureaus, practically all your departments and all your commissions, practically every bill when we give or create a commission, or we give a commission or bureau new powers and set them up, we have this sort of a provision in it. Possibly it is necessary to give them that power so they can promulgate the rules and regulations to carry out the provisions of the act. The question is: How far should we go in giving them those powers to create rules and regulations? We do know that it is an inherent characteristic of the executive department of any government, whether it is local or State or Federal, that they are liable and tend to stretch their rules and regulations to carry out the provisions of the act to the nth degree. Of course, the only recourse then to any of these persons when they seek to exercise those powers and it works a hardship upon any person is, of course, through the courts which they always have and which they have under this act.

If you are going to curb and I repeat, if you are going to curb the power that bureaus and commissions and departments have to promulgate rules and regulations to carry out the powers given them under this act, then you are going to have to start and revise a lot of acts

and laws in this Commonwealth if you are going to limit them.

I have read this act very carefully, and I believe the way these bans are spelled out in this act, you have given to every person in this Commonwealth the most reasonable power that you possibly can give them so that no one would be aggrieved under this act. Now if you are going to start to ban, if you are going to start to ban to these bureaus and commissions and departments the power to enact rules and regulations to carry out the provisions of the act under which they operate, then let us start to clean house from top to bottom. That is what you are going to start to do if you pass these amendments. This is only in line with everything else that was done.

It may be a step in the right direction. I have often taken offense, and rightfully so, and so have many other people, with the usurpation of power by bureaus and departments and commissions under which they seek to supplement, beyond reasonable degrees, the powers that have been given to them under the act. Maybe we should start, maybe the legislature should start, to curb such things as usurpation of powers by these bureaus and commissions. But unless you are ready to cope with every bureau and every department and every commission in this Commonwealth, then do not start with this act. If you want to move from here into every bureau, commission and department in this Commonwealth under the executive department of government, then let us start by passing these amendments. But do not stop here. Let us go into every bureau, every commission and every department under this Commonwealth and under the executive department of this State and curb them as they should be curbed, and let the legislature take its rightful place and say what should be done and what should not be done. I repeat, you have a vital issue here: Whether you are going to start with all of them, or whether you are going to try to let them go along and then let the aggrieved person have the right of appeal to court if they are aggrieved by these powers that are given to them under this particular act and other similar acts affecting all bureaus and all commissions.

I think it is a good bill as it stands, and I intend to vote for it. But if you are going to start to rip out, then let us start ripping from top to bottom. Maybe that would be a good thing. Thank you, Mr. Speaker.

Mr. MAXWELL. Mr. Speaker, there is one point I would like to bring out.

We have continuously tried to upgrade all the professions in this Commonwealth. We have tried to give them all powers, rules and regulations to protect their own professions to keep out the misfits and the ones who are unethical. We have done this, not to protect the profession as a profession but to protect the average individual of this Commonwealth who is not well enough informed on the average public health matters to protect himself.

Also, keep this in mind, any power that this legislature may grant to any board, if that board abuses that power, this legislature can then take that power away. We have the right to give and we have the right to take away.

In closing, may I ask the members to keep this in mind: It seems to be exceedingly difficult to promote any type of health legislature for the protection of the citizens of this Commonwealth when we step on some manufac-

turer's toes or when we cause somebody to lose a buck because they cannot exploit the public.

Mr. PETROSKY. Very briefly, Mr. Speaker, I would submit in rebuttal to several statements that were made here, the following:

One of the speakers indicated that the promulgation of reasonable rules and regulations was contained in section 9. The reasonable part of the rules and regulations governing and promoting the professional practice of optometry is contained in section 9.1, but in the section that deals with the refusal, denial, suspension or revocation of licenses, in subsection 11, on page 6, it indicates any rules or regulations promulgated under its authority. Sufficient for that.

There was an indication that anybody submitting these amendments would be working detrimental to the safety laws and the welfare of the people. I submit again, that contained in this act and present law, and I pointed them out clearly, are sufficient safeguards for the protection of the people.

I submit further that when you project your thinking, the exploitation of the people is what I am concerned about in the economic phase of this problem, and I submit that, when you narrow this field down with these rules and regulations and set up a preferred position for certain individuals, you then have the exploitation of the public and that is the reason I would like you to vote for these amendments.

On the question recurring,
Will the House agree to the amendments?

The yeas and nays were required by Messrs. PETROSKY and JIM and were as follows:

YEAS—49

Adams,	Greenlee,	McDevitt,	Rovansek,
Anderson, S. A.,	Guesman,	McKeever,	Rubin,
Bower,	Hankins,	Monroe,	Rudisili,
Breth,	Hartley,	Morley,	Scarcelli,
Cianfrani,	Heavey,	O'Dell,	Shelton,
Comer,	Isaacs,	Perry,	Sherman,
Dougherty,	Jones,	Petrosky,	Stank,
Elberg,	Kornick,	Polaski,	Sullivan, J. A.,
Frascella,	Lawson,	Polen,	Sullivan, T. F.,
Fry,	Limper,	Pursley,	Welsh,
Galley,	Lutty,	Renwick,	Wescott,
Gelfand,	McCann,	Riley,	Andrews,
Gray,			Speaker

NAYS—143

Anderson, J. H.,	Foerster,	Korns,	Rutherford,
Ashton,	Foor,	Lee, A. M.,	Sakulsky,
Auker,	Fox,	Lee, K. B.,	Schaa,
Bachman,	Fulmer,	Leonard,	Schuster,
Backenstoe,	Gallagher,	Lippincott,	Seltzer,
Blair,	George,	Long, Wm. Jas.,	Shupnik,
Boies,	Gibbons,	Long, Wm. Jos.,	Simmons,
Bonner,	Goldstein, J. H.,	Manbeck,	Snare,
Boessert,	Goldstein, M. H.,	Markley,	Steckel,
Bowman,	Goodrich,	Marsh,	Stimpnel,
Branca,	Gramlich,	Maxwell,	Stiteler,
Buchanan,	Gremmlinger,	May,	Stone,
Bush,	Gross,	McCandless,	Taylor,
Capano,	Guthrie,	McCormack,	Thompson,
Cauley,	Hamilton,	McInroy,	Tomasck,
Cioffi,	Heffner,	McLaughlin,	Tompkins,
Clarke,	Helm,	McNally,	Trusio,
Cooley,	Henzel,	Meholchick,	Ujobal,
Crossin,	Hocker,	Merry,	Varner,
Curwood,	Holl,	Miller,	Verona,
Davis,	Holliday,	Mills,	Wall,
Dengler,	Holman,	Murphy,	Walsh,
Dennison,	Horst,	Murray,	Wargo,
Donaldson,	Irvis,	Musto,	Weidner,
Doughten,	Jenkins,	Needham,	Whittaker,
Down,	Jim,	O'Donnell, J. A.,	Willard,

Edwards, Elvey, Eshback, Eshleman, Esler, Ewing, Farabaugh, Fetterolf, Filo, Flynn,	Johnson, A. W., Johnson, R. P., Kamyk, Kelser, Kelly, Kernaghan, King, Kistler, Knecht, Kooker,	O'Donnell, J. P., Odorisio, Ogilvie, Parlante, Pashley, Piper, Prendergast, Price, Reibman, Royer,	Willaredt, Williams, A. D., Williams, E. S., Wood, Worley, Wynd, Yetter, Zember, Zimmerman,
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NOT VOTING—18

Arlene, Capitolo, Fineman, Gibb, Haudenshield,	Kessler, Klein, Kramer, Lamb, Magee,	McDonald, Mihm, Mullen, Munley,	Reidenbach, Slack, Strausser, Wilt,
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So the question was determined in the negative, and the amendments were not agreed to.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—153

Adams, Anderson, J. H., Anderson, S. A., Ashton, Auker, Bachman, Backenstoe, Blair, Boles, Bonner, Bossert, Bowman, Buchanan, Bush, Cianfrani, Cloffi, Cooley, Crossin, Davis, Dengler, Dennison, Donaldson, Doughten, Down, Edwards, Ellberg, Elvey, Eshback, Eshleman, Esler, Ewing, Fetterolf, Filo, Foerster, Foor, Fox, Frascella, Fulmer, Galley,	Gallagher, George, Gibbons, Goldstein, J. H., Goldstein, M. H., Goodrich, Gray, Greenlee, Gremminger, Gross, Guesman, Guthrie, Hamilton, Hankins, Heavey, Hefner, Helm, Henzel, Hocker, Holl, Holliday, Holman, Horst, Irvis, Isaacs, Jim, Johnson, A. W., Johnson, R. P., Jones, Kelser, Kelly, Kernaghan, King, Kistler, Knecht, Kooker, Kornick, Korns,	Lamb, Lee, A. M., Lee, K. B., Limper, Lippincott, Long, Wm. Jas., Long, Wm. Jos., Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McCormack, McInroy, McLaughlin, Meholchick, Merry, Miller, Mills, Monroe, Murray, Needham, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, Parlante, Pashley, Piper, Polaski, Prendergast, Price, Pursley, Reibman, Riley, Royer,	Rubin, Rudisill, Rutherford, Sakulsky, Schaaf, Schuster, Seltzer, Shelton, Shupnik, Simmons, Snare, Stank, Steckel, Stimmel, Stiteler, Stone, Thompson, Tomasck, Trusio, Ujobal, Varnar, Verona, Wall, Walsh, Wargo, Weidner, Whittaker, Willard, Willaredt, Williams, A. D., Williams, E. S., Wood, Worley, Wynd, Yetter, Zember, Zimmerman, Andrews, Speaker
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NAYS—37

Bower, Branca, Breth, Capano, Cauley, Comer, Curwood, Dougherty, Farabaugh, Flynn,	Gelfand, Gramlich, Hartley, Jenkins, Kamyk, Lawson, Leonard, Lutty, McDevitt,	McKeever, McNally, Morley, Murphy, O'Dell, Perry, Petrosky, Polen, Renwick,	Rovansek, Scarcelli, Sherman, Sullivan, J. A., Sullivan, T. F., Taylor, Tompkins, Welsh, Wescott,
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NOT VOTING—20

Arlene, Capitolo, Clarke, Fineman, Fry,	Gibb, Haudenshield, Kessler, Klein, Kramer,	Magee, McDonald, Mihm, Mullen, Munley,	Musto, Reidenbach, Slack, Strausser, Wilt,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1631, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), authorizing third class cities to erect traffic signs on State highways without approval of the Secretary of Highways.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—141

Adams, Anderson, J. H., Ashton, Auker, Bachman, Backenstoe, Blair, Bossert, Bower, Bowman, Branca, Buchanan, Bush, Capano, Cauley, Cianfrani, Cloffi, Hocker, Clarke, Comer, Curwood, Dengler, Donaldson, Down, Ellberg, Elvey, Eshback, Eshleman, Esler, Ewing, Fetterolf, Filo, Foerster, Foor, Fox, Frascella,	Fulmer, Gallagher, George, Gibbons, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Greenlee, Gremminger, Gross, Hamilton, Hankins, Heavey, Hefner, Henzel, Holler, Holliday, Holman, Horst, Irvis, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kelser, Kelly, Kernaghan, King, Kistler, Knecht, Kooker, Kornick,	Korns, Lamb, Lee, A. M., Lee, K. B., Leonard, Limper, Lippincott, Long, Wm. Jos., Lutty, Manbeck, Markley, Marsh, Maxwell, May, McCandless, McDevitt, McInroy, McKeever, McLaughlin, Meholchick, Merry, Miller, Mills, Monroe, Mullen, Murray, Musto, O'Donnell, J. P., Odorisio, Ogilvie, Piper, Polaski, Price, Pursley, Royer,	Rubin, Rutherford, Sakulsky, Schuster, Seltzer, Shelton, Shupnik, Simmons, Steckel, Stimmel, Stiteler, Stone, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomasck, Tompkins, Trusio, Ujobal, Varnar, Wall, Walsh, Weidner, Welsh, Wescott, Whittaker, Willard, Willaredt, Williams, A. D., Williams, E. S., Worley, Wynd, Zember, Zimmerman,
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NAYS—50

Anderson, S. A., Bonner, Breth, Cooley, Crossin, Dennison, Dougherty, Doughten, Edwards, Flynn, Galley, Gelfand,	Gray, Guesman, Guthrie, Hartley, Helm, Isaacs, Jenkins, Lawson, Long, Wm. Jas., McCann, McCormack, McNally, Morley,	Murphy, Needham, O'Dell, O'Donnell, J. A., Parlante, Pashley, Perry, Petrosky, Polen, Prendergast, Reibman, Renwick,	Rovansek, Rudisill, Scarcelli, Schaaf, Sherman, Snare, Stank, Verona, Wargo, Wood, Yetter, Andrews, Speaker
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NOT VOTING—19

Arlene, Boles, Capitolo, Fineman, Fry,	Gibb, Haudenshield, Kessler, Klein, Kramer,	Magee, McDonald, Mihm, Munley, Reidenbach,	Riley, Slack, Strausser, Wilt,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1793, entitled:

An Act reenacting and amending the act of May 21, 1943 (P. L. 340), entitled as amended "An act empowering municipality authorities, cities of the third class, boroughs, incorporated towns and townships adjoining each other * * *" extending the provisions of the act to counties and to local governmental units outside of the Commonwealth changing procedure for agreements and contracts and further regulating joint purchases.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—184

Anderson, J. H., Anderson, S. A., Ashton, Auker, Bachman, Backenstoe, Blair, Bonner, Bossert, Bower, Bowman, Branca, Breth, Buchanan, Bush, Capano, Cauley, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dengler, Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Ellberg, Elvey, Eshback, Eshleman, Esler, Ewing, Farabaugh, Fetterolf, Filo, Flynn, Foerster, Foor, Fox, Frascella,	Fry, Fulmer, Galley, Gallagher, Gelfand, George, Gibbons, Goldstein, J. H., Goldstein, M. H., Gramlich, Gray, Greenlee, Gremminger, Gross, Guesman, Guthrie, Hamilton, Hankins, Hartley, Heavey, Heffner, Helm, Henzel, Hocker, Holl, Holliday, Holman, Horst, Irvis, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kelser, Kelly, Kernaghan, King, Kistler, Knecht, Kooker, Kornick, Korns, Lamb, Lawson, Lee, A. M.,	Lee, K. B., Leonard, Limper, Lippincott, Long, Wm. Jas., Long, Wm. Jos., Lutty, Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McCormack, McDevitt, McDonald, McInroy, McKeever, McLaughlin, McNally, Meholchick, Miller, Mills, Monroe, Morley, Mullen, Murphy, Murray, Musto, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odoriso, Ogilvie, Parlante, Pashley, Perry, Piper, Polaski, Polen, Prendergast, Price, Reibman,	Renwick, Rovanssek, Royer, Rubin, Rudisill, Rutherford, Sakulsky, Schaaf, Schuster, Seltzer, Shelton, Sherman, Shupnik, Snare, Stank, Steckel, Stimmel, Stiteler, Stone, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomasick, Trusto, Ujobal, Varnier, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Whittaker, Willard, Willardt, Williams, A. D., Williams, E. S., Wood, Worley, Wynd, Yetter, Zember, Zimmerman, Andrews, Speaker
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NAYS—7

Adams, Goodrich,	Isaacs, Jenkins,	Pursley, Simmons,	Tompkins,
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NOT VOTING—19

Arlene, Boles, Capitolo, Fineman, Gibb,	Haudenshield, Kessler, Klein, Kramer, Magee,	Mihm, Munley, Petrosky, Reidenbach, Riley,	Scarcelli, Slack, Strausser, Wilt,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Mr. SCARCELLI. Mr. Speaker, I would have voted "aye" on House bill No. 1793 had I been at my desk.

The SPEAKER pro tempore. The remarks of the gentleman will be noted in the journal.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1794, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), making a correction for a typographical error.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

NAYS—189

Adams, Anderson, J. H., Anderson, S. A., Ashton, Auker, Bachman, Backenstoe, Blair, Bonner, Bossert, Bower, Bowman, Branca, Breth, Buchanan, Bush, Capano, Cauley, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dengler, Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Ellberg, Elvey, Eshback, Eshleman, Esler, Ewing, Farabaugh, Fetterolf, Filo, Flynn,	Fulmer, Galley, Gallagher, Gelfand, George, Gibbons, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Gray, Greenlee, Gremminger, Gross, Guesman, Guthrie, Hamilton, Hankins, Hartley, Heavey, Heffner, Helm, Henzel, Hocker, Holl, Holliday, Holman, Horst, Irvis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kelser, Kelly, Kernaghan, King, Kistler, Knecht, Kooker,	Lee, A. M., Lee, K. B., Leonard, Limper, Lippincott, Long, Wm. Jas., Long, Wm. Jos., Lutty, Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McCormack, McDevitt, McDonald, McInroy, McKeever, McLaughlin, McNally, Meholchick, Merry, Miller, Mills, Monroe, Morley, Mullen, Murray, Musto, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odoriso, Ogilvie, Parlante, Pashley, Petrosky, Piper, Polaski, Polen,	Renwick, Rovanssek, Royer, Rubin, Rudisill, Rutherford, Sakulsky, Scarcelli, Schaaf, Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Snare, Stank, Steckel, Stimmel, Stiteler, Stone, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tompkins, Trusto, Ujobal, Varnier, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Whittaker, Willard, Willardt, Williams, A. D., Williams, E. S., Wood, Worley,
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Foerster, Foor, Fox, Frascella, Fry,	Kornick, Korns, Lamb, Lawson,	Prendergast, Price, Pursley, Reibman,	Wynd, Zember, Zimmerman, Andrews, Speaker
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NAYS—2

Murphy,	Yetter,
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NOT VOTING—19

Arlene, Boles, Capitolo, Fineman, Gibb,	Haudenshield, Kessler, Klein, Kramer, Magee,	Mihm, Munley, Perry, Reidenbach, Riley,	Slack, Strausser, Tomascik, Wilt,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 76, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929" increasing the maximum number of officers and men in the aggregate in the Pennsylvania State Police and making editorial changes.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 686, entitled:

An Act relating to atomic energy defining powers and duties of State departments offices boards commissions and of political subdivisions in connection therewith creating the Office of Atomic Development and prescribing its powers and duties.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

HOUSE RESOLUTION NO. 57

Mr. McCANN. Mr. Speaker, I call up House Resolution No. 57 on page 42 of today's calendar.

The resolution was read, considered and adopted as follows:

In the House of Representatives, April 12, 1961.

Upon the one hundredth anniversary of the Civil War the various states which took part in that epic struggle are commemorating the historic events and locations associated therewith. The vital role which Pennsylvania played in the Civil War is known by all. Our Commonwealth was among the first to take a firm stand in defense of the Union and by many brave deeds and noble efforts fully kept that pledge in addition thereto the

most decisive battle of the Civil War the Battle of Gettysburg was fought within our boundaries

U. S. Highway Route 15 served as the major route for the armies of both the North and South to reach that battle. It is fitting that this highway be officially named as a tribute to the men in blue and gray who marched so gallantly into battle thereon, therefore be it

Resolved, That the House of Representatives hereby respectfully requests the Governor and the Secretary of Highways to officially name and designate U. S. Highway Route 15 in Pennsylvania as "The Blue and Gray Highway" and be it further

Resolved. That copies of this resolution be transmitted to the Governor and the Secretary of Highways.

HOUSE RESOLUTION NO. 60

Mr. McCANN. Mr. Speaker, I call up House Resolution No. 60 on page 43 of today's calendar.

The resolution was read, considered and adopted as follows:

In the House of Representatives, April 24, 1961.

In 1957 the State Planning Board of the Commonwealth of Pennsylvania conducted a study to determine the practicability of a canal joining Lake Erie and the Ohio River and the effect of such a canal on the future economic status of the area it would serve. It was the conclusion of said report that the construction of such a canal was not practicable at that time.

For more than seventy-five years the Federal Government has made numerous studies for a Lake Erie-Ohio River Canal. Once again the Federal Government has made on allocation of funds for studying such a project.

In order that the Commonwealth of Pennsylvania may be properly apprised of the impact a canal joining Lake Erie and the Ohio River would have on the economy of Western Pennsylvania and our State as a whole particularly if the proposed Beaver-Mahoning Rivers Route is decided upon it is important that the aforementioned study conducted by the State Planning Board be reactivated. We will then be in a better position to substantiate our position in relation to such a project therefore be it

Resolved, That the House of Representatives hereby requests that the study and report of the practicability of a Lake Erie-Ohio River Canal be reactivated by the State Planning Board in order to determine if the conditions existing at the time of filing the original report in 1957 which report found that such a project would be detrimental to our Commonwealth still exist and be it further

Resolved, That copies of this resolution be transmitted to the State Planning Board and to the Governor

HOUSE RESOLUTION NO. 67

Mr. McCANN. Mr. Speaker, I call up House Resolution No. 67 on page 43 of today's calendar.

The resolution was read, considered and adopted as follows:

In the House of Representatives, May 4, 1961.

The Pennsylvania Constitution Article IX sections 1 and 2 provides

"All taxes shall be uniform upon the same class of subjects within the territorial limits of the authority levying the tax . . . but the General Assembly may by general laws exempt from taxation public property used for public purposes actual places of religious worship places of burial not used or held for private or corporate profit and institutions of purely public charity and real and personal property owned occupied and used by any branch post or camp of honorably discharged soldiers sailors and marines . . . [Emphasis supplied]

* * *

"All laws exempting property from taxation other than the property above enumerated shall be void."

Acting under the authority of Article IX, sections 1 and 2, the General Assembly by general laws has exempted

valuable real property from local taxation. The evidence suggests that recent absolute and relative increases in the value of real property exempt from local taxation have placed disproportionate burdens upon the owners of property subject to taxation therefore be it

Resolved, That the Joint State Government Commission in order to establish the pertinent facts and to facilitate the evaluation of the problems presented by the exemption of certain properties from local taxation is hereby directed to ascertain

1 The value of tax-exempt property by the categories prescribed by the Constitution the laws in local tax revenue consequent upon the exemptions and the increased tax burdens imposed upon the owners of taxable property by virtue of the exemption.

2 The use or uses made of tax-exempt property with a view of facilitating a legislative determination as to what extent the exemptions are in fact confined to actual places of religious worship and institutions of purely public charity.

3 The practices which obtain in other comparable states with respect to the exemption of certain types of real estate used for the purposes specified in Article IX section 1 of the Pennsylvania Constitution and be it further

Resolved, That the Joint State Government Commission report its findings and recommendations to the General Assembly at the Session of 1963.

HOUSE RESOLUTION NO. 68

Mr. McCANN. Mr. Speaker, I call up House Resolution No. 68 on page 43 of today's calendar.

The resolution was read, considered and adopted as follows:

In the House of Representatives, May 8, 1961.

In the immediate future public hearings will be conducted by the United States Army Corps of Engineers in conjunction with a preliminary survey and report on the advisability and desirability of a development program for the Susquehanna River watershed The survey and report being conducted by the Federal Government deal not only with every conceivable phase of flood control but also reforestation water transport hydroelectric power tourism and recreation

The Susquehanna watershed development program can be of immeasurable value in the economic advancement of our Commonwealth It is therefore imperative that we do everything within our power to cooperate with and assist the Federal Government in this project therefore be it

Resolved That the House of Representatives hereby directs the Joint State Government Commission to conduct a preliminary study of the Susquehanna watershed development program for the purpose of rendering information and assistance to the Federal Government in carrying out this project and be it further

Resolved That the Commission make a report of its findings from such study to the 1963 Session of the General Assembly

HOUSE RESOLUTION NO. 69

Mr. McCANN. Mr. Speaker, I call up House Resolution No. 69 on page 43 of today's calendar.

The resolution was read, considered and adopted as follows:

In the House of Representatives, May 8, 1961.

It has been the policy of the Pennsylvania Legislature to periodically review and revise the various codes of our Commonwealth in order to keep pace with the times

"The Game Law" was adopted in 1937 and during the period of twenty-four years which have elapsed since that time many changes in conditions relating to wild birds and wild animals have occurred including but not limited to plentifulness of various species of game beneficial or detrimental effects of different birds and animals changes in feed and cover conditions and advanced

methods of hunting or trapping These changes in conditions have required numerous and extensive amendments to "The Game Law" It is also possible that many of the basic premises upon which "The Game Law" was based have so changed through the intervening years that an entirely new approach to the law governing wild birds and wild animals would now be beneficial therefore be it

Resolved That the House of Representatives hereby directs the Joint State Government Commission to review and study "The Game Law" with a view toward modernizing and revising the same and be it further

Resolved That the Commission make a report of its findings and recommendations with drafts of legislation necessary to carry the recommendations into effect to the 1963 session of the General Assembly

HOUSE RESOLUTION NO. 71

Mr. McCANN. Mr. Speaker, I call up House Resolution No. 71 on page 43 of today's calendar.

The resolution was read, considered and adopted as follows:

In the House of Representatives, May 22, 1961.

The Commonwealth of Pennsylvania is presently considering joining into an interstate-Federal compact to be known as the Delaware River Basin Compact for the purpose of making possible the unified development and control of the water resources of the Delaware River basin

There can be no doubt that the purposes of this project are laudable and well-worthy of our cooperation and participation It is imperative however that the rights of property owners in areas which may be subject to eminent domain proceedings be fully protected

If the preliminary plans of the United States Army Corps of Engineers are followed dams will be constructed on the Aquashicola and Pohopoco Creeks and elsewhere with a resultant inundation of many acres of land

Any compact or action taken under such compact should take into consideration the many hardships to which persons who will be displaced from their homes and businesses will be subjected

Displaced families should be granted their moving costs up to a reasonable limit There should be a fairer means of assessment of property so taken than the present "market value" approach based on values depreciated by proposed condemnation announcements Property owners should receive a portion of the payment at time of acquisition with no jeopardy to their right to contest the overall settlement There should also be provision for reimbursement of local taxing bodies for monies lost through these non-taxable projects this being particularly important in counties such as Carbon County where several large reservoirs already exist therefore be it

Resolved That any compact which the Commonwealth of Pennsylvania enters into concerning development and control of the water resources of the Delaware River take into consideration the problems faced by persons whose property will be taken under such project and that these persons be given every possible benefit to adequately compensate them for their losses and be it further

Resolved That copies of this resolution be transmitted to the Governor and to the Secretary of Forests and Waters

HOUSE RESOLUTION NO. 74

Mc. McCANN. Mr. Speaker, I call up House Resolution No. 74 on page 43 of today's calendar.

The resolution was read, considered and adopted as follows:

In the House of Representatives, May 24, 1961.

Resolved (The Senate concurring) That there is hereby established a Commission to be known as The United States Constitution 175th Anniversary Commission of Pennsylvania (hereinafter referred to as the "Commission") for the celebration of the 175th anniversary of the

adoption of the Constitution and to be composed of six commissioners as follows The Governor of Pennsylvania the President of the Senate and the Speaker of the House of Representatives ex-officio two persons to be appointed by the Governor two Senators to be appointed by the President of the Senate and two Representatives to be appointed by the Speaker of the House of Representatives and be it further

Resolved The commissioners shall receive no compensation for their services but shall be paid their actual and necessary traveling hotel and other expenses incurred in the discharge of their duties and be it further

Resolved The Commissioners shall select a Chairman and appoint a State Director who shall appoint with the approval of the Commission such assistants and subordinates as he deems necessary and be it further

Resolved That it shall be the duty of the commissioners after promulgating to the people an address relative to the reason of its creation and that its purpose to prepare a plan or plans and a program for the adequate celebration of the 175th anniversary and to give due and proper consideration to any plan or plans which may be submitted to them and to take such steps as may be necessary in the coordination and correlation of plans prepared by the National Commissioners and by the various local Commissions to be established with the State or by the several bodies that may be created under appointment by the Governor and by representative civic bodies and be it further

Resolved That the Commission shall make a report at its earliest convenience to the General Assembly of the Commonwealth of Pennsylvania and be it further

Resolved That the Commission may receive from any source contributions to aid in carrying out the general purpose of this resolution but the same shall be explained and accounted for in the same manner as any preparation which may be made in the authority of this act

Ordered, that the clerk present the same to the Senate for its concurrence.

HOUSE RESOLUTION NO. 84

Mr. McCANN. Mr. Speaker, I call up House Resolution No. 84 on page 43 of day's calendar.

The resolution was read, considered and adopted as follows:

In the House of Representatives, June 13, 1961.

The numerous departmental rules regulations and decisions determining what items are taxable and what items are not taxable under the provisions of the act of March 6, 1956 (P. L. 1228), known as the "Selective Sales and Use Tax Act" make it extremely difficult for individuals or businesses attempting to comply with the law to properly collect the taxes due Failure to provide such individuals and businesses with adequate information is very likely causing a considerable loss of revenue to our Commonwealth

It is also extremely difficult for members of the General Assembly to intelligently legislate on taxes unless they are supplied with specific listings of items which are presently taxable or exempt from tax If the Legislature had before it for its use and study a complete listing of the commodities which are subject to tax and of the commodities which are not subject to the tax either by the law itself or under rules regulations or decisions such information would assist greatly in determining now sources of revenue and in determining what additional exemptions if any would be beneficial to the well-being of our Commonwealth therefore be it

Resolved That the House of Representatives hereby requests that the Bureau of Sales and Use Tax of the Department of Revenue prepare and issue a listing of specific items which are taxable and specific items which are not taxable under the provisions of the "Selective Sales and Use Tax Act" and rules regulations and decisions pursuant thereto and be it further

Resolved That such listing shall be prepared and copies

thereof made available for use of the General Assembly not later than two weeks after the adoption of this resolution

SENATE MESSAGE

SENATE CONCURRENT RESOLUTION SERIAL NO. 111

The clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, March 13, 1961.

The act of June 4, 1901 (P. L. 431), commonly referred to as the "Mechanics' Lien Law," was enacted subsequent to the adoption of the Constitution of the Commonwealth of Pennsylvania in 1874 and in so far as the provisions thereof are not divergent from preexisting law, is not in violation of Article III, Section 7, of the Constitution as a special law. However, many sections and amendments to the act have been held unconstitutional by our Supreme Court.

There is great confusion with respect to the construction and application of the act and the General Assembly requires for its use comprehensive factual information relating to the laws concerning mechanics' liens so that they may be codified, simplified, and clarified in keeping with the constitutional limitations, as to their construction and application; therefore be it

Resolved (the House of Representatives concurring) That the Joint State Government Commission be directed to study the laws relating to mechanics' liens with a view of codifying, clarifying and simplifying such laws; and be it further

Resolved, That the Joint State Government Commission report to the General Assembly, its findings and recommendations, together with drafts of legislation necessary to carry its recommendations into effect.

Ordered, That the clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the clerk inform the Senate accordingly.

SENATE MESSAGE

SENATE CONCURRENT RESOLUTION SERIAL No. 122

The clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, June 5, 1961.

Whereas, The laws of this Commonwealth relating to agriculture and its related fields are numerous. Many of them are obsolete since we have entered into the era of modern farming and animal husbandry; and

Whereas, Local governmental agencies and other law enforcement agencies are unaware of existing statutes and in many cases duplicate ordinances or ordinances in conflict with existing state laws are sometimes enacted; and

Whereas, Inquiries are always being presented in reference to the laws relating to agriculture and many times there is misunderstanding and confusion which results in unnecessary expenditures of the tax payers money; and

Whereas, There is no codification of the agriculture laws and the acts dealing with farms and farming; therefore be it

Resolved (the House of Representatives concurring), That the Joint State Government Commission be directed to investigate the scope and the cost of a project which would result in the revision, modernization and codification of the laws relating to agriculture; and be it further

Resolved, That the Joint State Government Commission report its findings to the General Assembly as soon as possible.

Ordered, That the clerk present the same to the House of Representatives for its concurrence.

On the question,
Will the House concur in the resolution of the Senate?
It was concurred in.
Ordered, That the clerk inform the Senate accordingly.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. HAMILTON asked and obtained permission for the Committee on Insurance to meet during the session of the House.

FORMER MEMBERS WELCOMED

The SPEAKER pro tempore. The Chair would like to present two former members of this House who are present in the hall of the House today, the gentleman from Philadelphia, Mr. Corrigan, and the gentleman from Philadelphia, Mr. Levin.

DEMOCRATIC CAUCUS

Mr. McCANN. I wish to inform the membership, if I may, that we will be taking a break now, 30 minutes for lunch, 1 hour for caucus. Bring your House calendars with you and come immediately from lunch to the caucus so that we may start the caucus promptly at 1:20. It will take about 10 minutes to clear the desk.

REPUBLICAN CAUCUS

The SPEAKER pro tempore. The Chair recognizes the minority leader.

Mr. A. W. JOHNSON. Mr. Speaker, I would like to say that there will be a Republican caucus immediately after lunch, at 1:20.

RECONSIDERATION OF VOTE ON HOUSE BILL NO. 1665

Mr. DONALDSON. Mr. Speaker, I move that the vote by which House Bill No. 1665, printer's No. 2099, entitled:

"An Act amending the 'Local Tax Enabling Act' approved June 25, 1947 (P. L. 1145) requiring taxes collected upon the transfer of real property or of any interest in real property to be collected at the county seat."

was defeated on final passage Tuesday, June 27, 1961, be reconsidered.

Mr. STIMMEL. Mr. Speaker, I second the motion.

The SPEAKER pro tempore. How did the gentleman from Allegheny, Mr. Donaldson, vote on the final passage of this bill?

Mr. DONALDSON. Mr. Speaker, I voted with the prevailing side.

The SPEAKER pro tempore. How did the gentleman from Lehigh, Mr. Stimmel, vote on the final passage of this bill?

Mr. STIMMEL. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED

Mr. DONALDSON. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

BILLS INTRODUCED AND REFERRED

By Messrs. CAPANO, FLYNN, T. F. SULLIVAN
and IRVIS. HOUSE BILL No. 1818.

An Act amending the "Unemployment Compensation Law," approved December 5, 1936 (1937, P. L. 2897), modifying certain provisions as to eligibility of individuals while in training or when permanently separated or when separated from a family enterprise.

Referred to the Committee on Labor Relations.

By Messrs. RENWICK, FOERSTER, STIMMEL
and WILLARD. HOUSE BILL No. 1819.

An Act conserving, controlling and protecting the water resources of the Commonwealth of Pennsylvania; providing a procedure connected therewith; authorizing the Water and Power Resources Board to adopt and enforce rules, regulations and orders to limit and allocate the use of waters in all areas where it is found that their use may threaten to deplete, impair or exhaust the supply thereof and providing for their maximum beneficial use and disposition * * *.

Referred to the Committee on Rules.

By Messrs. FULMER, COMER, SCARCELLI
and STIMMEL. HOUSE BILL No. 1820.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), prohibiting coupling devices or hitches from extending beyond the bumpers of passenger motor vehicles when trailers or semi-trailers are not attached to the motor vehicle.

Referred to the Committee on Rules.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 410.

An Act amending the act of May 4, 1927 (P. L. 519), entitled "The Borough Code" further providing for the employment of either a certified public accountant or a competent independent public accountant.

HOUSE BILL No. 428.

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" redefining Motorcycle limiting the use of the transcript and the record of a suspension hearing providing for the designation of inspection stations for trucks and truck tractors permitting the private vehicle of the chief and the first assistant chief of police and the first assistant chief of any fire department to be equipped with a siren prohibiting parking in certain additional places and prescribing penalties.

HOUSE BILL No. 445.

An Act amending the act of June 4, 1943 (P. L. 883), entitled, "An act authorizing and directing the Department of Highways to erect * * * a toll bridge over the Allegheny River between a point in or near the Borough of Tarentum Allegheny County and a point in Westmoreland County and to provide the necessary approaches and connections with State highways * * *" making the bridge a free bridge * * * and making an appropriation.

HOUSE BILL No. 455.

An Act amending the act of September 29, 1951 (P. L. 1646), entitled "An act authorizing the Commonwealth to negotiate temporary emergency loans to defray current and other expenses of the State government during any

fiscal biennium evidenced by tax anticipation notes * * * authorizing powers conferred by the act to be done on a fiscal period basis and changing the amount of money which may be borrowed and providing two additional methods of borrowing money.

HOUSE BILL No. 530.

An Act amending the act of July 28, 1953 (P. L. 723), entitled "Second Class County Code" authorizing the adoption of rules and regulations concerning inflammable or combustible substances certain fire hazards fire preventive equipment reports of fires and explosions authorizing permits to be required and fixing penalties.

HOUSE BILL No. 980.

An Act relating to the payment of wages or compensation for labor or services providing for regular paydays conferring powers and duties with respect to the civil collection of wages providing civil and criminal penalties for violations of the act providing for their collection and disposition and providing for additional civil damages.

HOUSE BILL No. 1169.

An Act amending the act of May 29, 1956 (P. L. 1803), entitled "An act providing for the establishment of forestry conservation camps by the Department of Forests and Waters for the development and conservation of the forests of this Commonwealth and for the rehabilitation and training of male youth giving additional powers to the Department of Welfare and making an appropriation" further regulating the acceptance and transfer of campers and providing for the payment by counties of a part of the operating expenses.

HOUSE BILL No. 1212.

An Act amending the act of July 5, 1917 (P. L. 693), entitled, "An act authorizing and empowering the several counties of this Commonwealth to establish and maintain schools for the care and education of children ****" providing for the transfer of schools to the Commonwealth of Pennsylvania and authorizing operation of schools to be terminated.

HOUSE BILL No. 1213.

An Act amending the "Minor Judiciary Fee Bill" approved January 7, 1952 (P. L. 1841), fixing a fee for issuing search warrants.

HOUSE BILL No. 1344.

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333), regulating the furnishing of public property for use as polling places.

HOUSE BILL No. 1346.

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333), further regulating procedures with respect to general return sheets and tally papers.

HOUSE BILL No. 1347.

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333), further regulating the advertising of election proclamations and providing for advertising of a primary election proclamation in counties of the second class.

HOUSE BILL No. 1350.

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333), further regulating the preservation of records.

HOUSE BILL No. 1447.

An Act amending the "Milk Sanitation Law" approved July 2, 1935 (P. L. 589), further providing for the tuberculosis and brucellosis ring tests to be given to cows.

HOUSE BILL No. 1460.

An Act authorizing the judge of the court of common pleas of any county of the third fourth fifth sixth seventh or eighth class to direct that recorded maps plats or plans be reproduced requiring the recorder of deeds to preserve originals of maps plats or plans so reproduced and providing for payment of costs by the county.

HOUSE BILL No. 1468.

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), enlarging the Coal Research Board's sphere of study and research.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

RECESS

The SPEAKER pro tempore. Without objection, the Chair declares a recess of one and one-half hours.

The Chair hears none.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR

BILLS INTRODUCED AND REFERRED

By Messrs. BRETH and PETROSKY.

HOUSE BILL No. 1821.

An Act amending "The Permanent Registration Act for Cities of the Second Class, Cities of the Second Class A, Cities of the Third Class, Boroughs, Towns and Townships" approved April 29, 1937 (P. L. 487), further regulating the days and hours of registration, the days for receiving removal notices and transferring registration, the days for changing enrollment of political party, the days to make a check-up of registers, the days to compare and correct the general and district registers, the days for preparing street lists and the arrangement and distribution of street lists.

Referred to the Committee on Cities—Counties Second and Second Class A.

My Mrs. S. A. ANDERSON, Mr. GREENLEE, Mrs.

MONROE and Mr. A. M. LEE. HOUSE BILL No. 1822.

An Act amending "The First Class City Permanent Registration Act," approved March 30, 1937 (P. L. 115), further regulating the distribution of street lists.

Referred to the Committee on Cities—Counties Second Class.

REPORTS FROM COMMITTEE

Mr. HAMILTON from the Committee on Insurance, reported as amended, House bill No. 1650, entitled:

An Act amending "The Insurance Company Law of 1921," approved May 17, 1921 (P. L. 682), prohibiting cancellation of certain accident and sickness policies.

Mr. HAMILTON from the Committee on Insurance, reported as amended, House bill No. 1811, entitled:

An Act providing for the regulation of credit life insurance and credit accident and health insurance; conferring powers and imposing duties on the Insurance Commissioner and prescribing penalties.

PERMISSION TO ADDRESS HOUSE

Mr. SCHAAF asked and obtained unanimous consent to address the House.

Mr. Speaker, my purpose in standing here today is to reply to the remarks of the gentleman from Blair, Dr. King, on Tuesday, I believe.

Mr. Speaker, as a past master of having put one's foot in one's mouth, I feel I am privileged to so stand here.

When the gentleman first started to address this House, Mr. Speaker, I took no particular note of what was being said because frankly he was in the main concerned, as I understood it, with the Department of Highways' failure to use a specific type of limestone, which, again, as I understood it, was produced in his area. He demonstrated, I thought at first, a multitude of local pride and for that I commend him, Mr. Speaker.

However, in the course of his remarks to this House, he made the statement, and I believe I am correctly quoting him, wherein he said that it would be best if the Secretary of Highways would, and I quote, "investigate complaints which I have received concerning payoffs between State highway inspectors and road contractors." Those remarks, Mr. Speaker, were made in the context of additional remarks concerning the Erie County Thru-Way.

Mr. Speaker, he also made the observation, and I cannot quote him directly, to the effect that the taxpayers stand to lose thousands of dollars because of this type of activity. Mr. Speaker, these are serious charges. I, personally believe, and I do not think any member of this House will seriously dispute this, that the present Secretary of Highways is a man of great integrity. This is a reflection on his department and certainly on him.

Consequently, Mr. Speaker, I feel it is incumbent upon the gentleman to come forth with these complaints which he has allegedly received concerning payoffs by contractors to inspectors in connection with the Erie County—Thru-Way, and if he cannot come forth, or if he will not come forth, then I believe he owes the Secretary of Highways an apology, Mr. Speaker.

Mr. Speaker, I have reason to believe that he has been asked by the duly authorized representatives of this Commonwealth to furnish the information requested and he has, as of this time at least, declined to do so.

In Erie County, Mr. Speaker, and I think I can well speak for my colleague, Mr. Polaski, we do not countenance what the gentleman alleges. Mr. Speaker, I am certainly positive the Department of Highways does not countenance what Mr. King alleges, and Mr. Speaker, I am certain from the record of this State administration and the prior State administration that this administration nor the prior administration countenances this type of activity.

It is regrettable that it has been said. It is regrettable that the public, perhaps, will have a misconception. I am the first one to admit that the construction of the highway in Erie County had its difficulties. For example, Mr. Speaker, last October, or actually during the month of September, asphalt was laid on the shoulders of that highway and when spring came that asphalt did buckle, and did stretch, and did crack, and did heave, but Mr. Speaker, the important part to recall and to note, and this is for the protection of the general public, the taxpaying general public, is that there is a bond which protects the Commonwealth.

The bonding company is obliged to underwrite, if necessary, the mistakes, the lack of diligence on the part of the contractor. Not only that, Mr. Speaker, but I am reliably assured that the contractor who performed this particular segment of the contract has not been paid in full, so that the taxpayers of this Commonwealth, the people of Erie County stand to lose absolutely nothing.

Mr. Speaker, I regret the necessity of my standing here this afternoon. I simply had to make the record straight, and again I urge the gentleman from Butler County, if he has specific information that would be of assistance to this Commonwealth and to this administration in rooting out wrong-doers, then I encourage him. I pledge him my personal cooperation.

Thank you, Mr. Speaker.

PERMISSION TO ADDRESS HOUSE

Mr. KING asked and obtained unanimous consent to address the House.

Mr. Speaker, I agree with the gentleman whom I consider to be a very good friend of mine from Erie County, that these are indeed serious charges. I want this House to know that before I gave my talk on Tuesday I spent considerable time and a considerable amount of traveling checking the authenticity of the facts.

I would like to suggest that the gentleman from Erie County, Mr. Schaaf, join me in introducing a resolution asking for full investigation of the allegations which I have received.

The people of Erie will welcome the news that one of their great progressive newspapers, the "Erie Morning News" has disclosed to me that it is about to run a series of articles concerning the Erie Thru-Way. I am certain that these articles will not only back up my charges, but in all events may enhance them.

I would like to end by saying that at no time in my remarks did I cast any uncomplimentary reflections upon the Secretary of Highways. I consider him to be an honorable gentleman and I believe I only asked him to investigate these allegations which I have received. I believe the gentleman from Erie, Mr. Schaaf, has missed the point. I ask that the record be set straight.

I thank you, Mr. Speaker.

INTERROGATION

Mr. SCHAAF asked and obtained unanimous consent to interrogate Mr. King.

Mr. SCHAAF. Mr. Speaker, I would ask the gentleman if, whether or not following the making of his remarks on Tuesday, a representative of the Department of Justice contacted him?

Mr. KING. That is correct, Mr. Speaker.

Mr. SCHAAF. Mr. Speaker, I would ask the gentleman then if not Mr. King was asked to divulge the nature of his information to that officer?

Mr. KING. I would like to answer that but first I want to make this remark: I would like to compliment the Attorney General. She certainly has good communications with her office. Fifteen minutes after I made my talk she called me from Pittsburgh and within a matter of minutes she had her chief investigator over here to speak with me.

Now I have been asked if I could substantiate these charges. My reply was that I had these allegations and all

the Attorney General's office had to do was to get the list of the contractors involved and subpoena them.

Mr. SCHAAF. Well, do I understand the gentleman to say then, Mr. Speaker, that he has no specific information?

Mr. KING. As I reiterated here in the beginning of my remarks, when I first answered the gentleman, I have spent considerable time checking the authenticity of the facts which I have presented—

Mr. SCHAAF. Mr. Speaker, again I think I am correctly quoting the gentleman in his Tuesday remarks: "complaints which I have received concerning payoffs between State highway inspectors and road contractors."

Do I take it from that, Mr. Speaker, that the gentleman does have bona fide, substantial complaints?

Mr. KING. I would like to say this, Mr. Speaker. In my discussion with the gentleman from the Attorney General's office, he himself told me of some of the cases which they were investigating at this time. One example was payoff in the form of gasoline between contractors and inspectors. A payoff does not have to be money.

Mr. SCHAAF. Mr. Speaker, I do not want to beleaguer this issue, and I do not want to take the time of the House. I simply ask the gentleman again, did he give the information that he allegedly has in his possession to the representative of the Justice Department?

Mr. KING. I failed to hear the gentleman.

Mr. SCHAAF. I will repeat, Mr. Speaker.

Did he give the information in his possession, the complaints which he has received, to the investigator or officer of the Department of Justice?

Mr. KING. The only thing I gave the gentleman from the Attorney General's office was a copy of my speech.

Mr. SCHAAF. Very commendable, Mr. Speaker.

Mr. Speaker, I would then ask the gentleman if he is satisfied that this administration, whether it be the Department of Justice, the office of the Attorney General, or the Department of Highways—is he satisfied that they are pursuing his complaints diligently?

Mr. KING. I certainly am. As I reiterated, I have never seen faster and more prompt action than I did from the Attorney General's office.

Mr. SCHAAF. Am I not correct, Mr. Speaker, that when he mentions a contractor paying an inspector off in gasoline he refers to the act of filling the inspector's automobile with gasoline from the pumps of the contractor? Is that correct?

Mr. KING. Would you repeat that, sir?

The SPEAKER. The Chair would suggest we are really not trying this case in this forum.

Mr. SCHAAF. All right, I will desist, Mr. Speaker.

I thank the gentleman and would like to make one small statement before I sit down.

Mr. Speaker, again, I think this is regrettable that the allegations were made. I do not want to criticize unduly, but I think the criticism that was made on Tuesday was unjust under the circumstances. I think the gentleman has demonstrated his satisfaction with the conduct of this administration in this particular area. I ask for nothing else.

PERMISSION TO ADDRESS HOUSE

Mr. VARNER asked and obtained unanimous consent to address the House.

Mr. Speaker, it seems to me that a certain myth has been built around Park Martin because he happens to be a registered Republican in a Democratic state administration. I think, in my own mind, that this is a sort of neat political trick if you can do it and it is being done.

I would like to crack that myth briefly, if I might. On May 24, that is over four weeks ago, I wrote to Mr. Martin and asked him for some information for one of my constituents in regard to getting some money from a contractor up on the Erie Thruway, believe it or not. I am not making any allegations, but I am just pointing out, Mr. Speaker, that today I received by messenger a letter from Mr. Martin, dated June 26, in answer to my letter of May 24.

I do not know what kind of service the highway department gives the other members, but if they do not get around to answering their letters any quicker than they answered mine, they certainly must be busy over there building roads.

I just wanted to bring this into the discussion here to try to explode the myth that seems to be—the halo that seems to be—around poor old Mr. Martin.

INTERROGATION

Mr. FULMER asked and obtained unanimous consent to interrogate Mr. Polen.

Mr. Speaker, during the past several weeks or months there have been quite a few comments as to the status of the Pennsylvania State University in relation to moneys that might be received from the Commonwealth for the operation of this institution.

Only yesterday another question was raised, and that is why I would like to direct this question to the gentleman from Washington, Mr. Polen. Is it the opinion of the chairman of the Committee on Appropriations that the bill which is designed to provide funds for the Pennsylvania State University is an appropriation bill?

Mr. POLEN. It is an appropriation bill, yes sir.

Mr. FULMER. Then can we assume that House bill 773 is an appropriation bill?

Mr. POLEN. It is, Mr. Speaker.

Mr. FULMER. I would like to have the gentleman turn to the calendar on page 11, if he will, to the series of bills beginning with 771 through 774. If we just read the first five words in each one:

House bill 771 says, "An Act making an appropriation;"

House bill 772 says, "An Act making an appropriation;" House bill 773, which refers to the land grant of the university says, "A Supplement to the act of 1863;" But House bill 774 then goes back again to say, "An Act making appropriations."

Is there any reason why the wording of these should be different if they are all appropriation bills?

Mr. POLEN. Yes, Mr. Speaker. It is my understanding that all the appropriations that we make to Penn State University are supplements to a specific act of the middle 1800's. They are not appropriations as we currently make to other institutions. I think it is due to the fact that the University was then a land grant college, and that each year we make supplemental appropriations to that act. While I designate it as an appropriation bill, which it is, it is my understanding that there is a difference between the appropriations to Penn State and other appropriation

bills. There are a few similar situations where you will find that the appropriation is also a supplement. I cannot recall them at this time, but I do know that there are some.

Mr. FULMER. Mr. Speaker, I thank the gentleman for answering these questions. Now, Mr. Speaker, I would like to inquire of the Chair if it were my purpose to introduce at this time a bill to provide funds for the operation of the Pennsylvania State University, could I do so under the resolution which we passed some time ago?

The SPEAKER. The answer, in the opinion of the Chair, would be "yes." In the opinion of the Chair it could be done in two ways, a new bill or an amendment to existing legislation.

Mr. FULMER. Mr. Speaker, I appreciate your position on this and, therefore, I would like to beg the patience of the Chair to advise me, as a member of this House, how I can proceed.

I made an inquiry at the Legislative Reference Bureau to have a bill drafted to provide funds for the Pennsylvania State University, and thinking that I was following out the wishes of some of the membership of the House—I should say with the consent of the Pennsylvania State University—I desired to put down how these moneys could be spent.

I find that I do not have the permission of the Legislative Reference Bureau to do that.

The SPEAKER. The Chair would observe that the request of the member would be controlling with the Legislative Reference Bureau, just as the acceptance of the measure would be controlling with the members of this House. You had a perfect right to go over there and ask to have a bill drawn if you like.

Mr. FULMER. I would like to follow this point further, if I may, because—

The SPEAKER. Under the resolution which we passed as to the last day for the introduction of bills, "except raising revenue, making appropriations and reapportionment."

For what purpose does the gentleman from Philadelphia rise?

Mr. McCORMACK. Mr. Speaker, may I intervene to interrogate the gentleman from Centre, Mr. Fulmer?

The SPEAKER. If the gentleman yields for interrogation, the gentleman from Philadelphia can intervene. It will be up to the gentleman from Centre as to whether he desires to yield to him.

Mr. McCORMACK. Mr. Speaker, just for the purpose of asking a question.

Mr. FULMER. I will be glad to yield for a question.

Mr. McCORMACK. Would the gentleman have any objection to taking this business up after we complete the calendar today?

Mr. FULMER. Mr. Speaker—

The SPEAKER. The gentleman has the floor. The door was opened for miscellaneous discussion outside the purview of the calendar, and the Chair does not propose, except at the command of the House, to close the door. The Chair originally, had it been to its discretion, would not have opened that door at this time.

Mr. FULMER. Mr. Speaker, I want to point out to the members of the House that the matter before us, or what I am discussing today, is not only important to me; it is important to every member of this House and it is im-

portant to the people of the Commonwealth of Pennsylvania.

I have in my possession a letter from the director of the Legislative Reference Bureau, Mr. Hershey, who says this about the Pennsylvania State University appropriation, and I would like the gentleman from Washington, Mr. Polen, to listen to this, as well as the rest of the members of the House:

"... the bill requested by you is not an appropriation bill since, if you will check a similar bill in 1959, you will find that it became Act No. 567 in the Pamphlet Laws of 1959 (P. L. 1585). If this act would have appeared in the appropriation Acts Volume of 1959, I would properly classify it today as an appropriation act."

The SPEAKER. I will answer that very directly. It is not within the province of the Legislative Reference Bureau to decide the propriety of the bill. That will be decided by the Chair as to whether the bill does or does not come under the rules. You have a right to get the bill drawn any way you want.

Mr. FULMER. I thank the Speaker.

BILLS ON THIRD READING

BILL PASSED OVER

There being no objection,

House bill No. 971, printer's No. 2373,
was passed over at the request of Mr. McCANN.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1207, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), regulating the dismissal suspension demotion and reenlistment of enlisted members of the Pennsylvania State Police.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

Adams,	Fulmer,	Limper,	Rovansek,
Anderson, J. H.,	Gailey,	Lippincott,	Royer,
Anderson, S. A.,	Gallagher,	Long, Wm. Jas.,	Rubin,
Ashton,	George,	Long, Wm. Jos.,	Rudisill,
Auker,	Gibbons,	Lutty,	Rutherford,
Bachman,	Goldstein, J. H.,	Manbeck,	Sakulsky,
Backenstoe,	Goldstein, M. H.,	Markley,	Scarcelli,
Blair,	Goodrich,	Marsh,	Schaaf,
Boles,	Gramlich,	Maxwell,	Schuster,
Bonner,	Gray,	May,	Seltzer,
Bossert,	Greenlee,	McCandless,	Shelton,
Bower,	Gremmlinger,	McCann,	Sherman,
Bowman,	Gross,	McCormack,	Shupnik,
Branca,	Guthrie,	McDevitt,	Simmons,
Breth,	Hamilton,	McDonald,	Snare,
Buchanan,	Hankins,	McInroy,	Stank,
Bush,	Hartley,	McKeever,	Steckel,
Capano,	Heavey,	McLaughlin,	Stimmel,
Caulley,	Heffner,	McNally,	Stiteler,
Cianfrani,	Helm,	Meholchick,	Stone,
Cioffi,	Henzel,	Merry,	Sullivan, J. A.,
Clarke,	Hocker,	Miller,	Sullivan, T. F.,
Comer,	Holl,	Mills,	Taylor,
Cooley,	Holliday,	Monroe,	Thompson,
Crossin,	Holman,	Morley,	Tomascik,
Curwood,	Horst,	Mullen,	Tompkins,
Davis,	Irvis,	Murphy,	Trusio,
Dengler,	Isaacs,	Murray,	Varner,

Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Ellberg, Elvey, Eshback, Eshleman, Esler, Ewing, Farabaugh, Fetterolf, Filo, Flynn, Foerster, Foor, Fox, Frascella,	Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kelser, Kelly, Kernaghan, Kling, Kistler, Knecht, Kooker, Kornick, Korns, Kramer, Lamb, Lawson, Lee, A. M., Lee, K. B., Leonard,	Musto, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, Parlante, Pashley, Petrosky, Piper, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Renwick, Riley,	Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Whittaker, Willard, Willaredt, Williams, A. D., Williams, E. S., Wood, Worley, Wynd, Yetter, Zember, Zimmerman, Andrews, Speaker
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NAYS—0

NOT VOTING—20

Arlene, Capitolo, Fineman, Fry, Gelfand,	Gibb, Guesman, Haudenshield, Jenkins, Kessler,	Klein, Magee, Mihm, Munley, Perry,	Reidenbach, Slack, Strausser, Ujobai, Wilt,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1206, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), providing that enlisted members of the Pennsylvania State Police shall not be dismissed from service or reduced in rank except by action of a court martial board held upon the recommendation of the Commissioner and the Governor.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—192

Adams, Anderson, S. A., Ashton, Auker, Bachman, Backenstoe, Blair, Boles, Bonner, Bossert, Bower, Bowman, Branca, Breth, Buchanan, Bush, Capano, Cauley, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dengler, Dennison,	Fulmer, Galley, Gallagher, Gelfand, George, Gibbons, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Gray, Greenlee, Gremminger, Gross, Guthrie, Hamilton, Hankins, Hartley, Heavey, Heffner, Helm, Henzel, Hocker, Holl, Holliday, Holman, Horst, Irvis,	Leonard, Limper, Lippincott, Long, Wm. Jas., Long, Wm. Jos., Lutty, Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McCormack, McDevitt, McDonald, McInroy, McKeever, McLaughlin, McNally, Meholchick, Merry, Miller, Mills, Monroe, Morley, Mullen, Murphy,	Rovansek, Royer, Rubin, Rudisill, Rutherford, Sakulsky, Scarcell, Schaaf, Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Snare, Stank, Steckel, Stimmel, Stiteler, Stone, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomascik, Tompkins, Trusio, Ujobai,
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Donaldson, Dougherty, Doughten, Down, Edwards, Ellberg, Elvey, Eshback, Eshleman, Esler, Ewing, Farabaugh, Fetterolf, Filo, Flynn, Foerster, Foor, Fox, Frascella, Fry,	Isaacs, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kelser, Kelly, Kernaghan, King, Kistler, Knecht, Kooker, Kornick, Korns, Kramer, Lamb, Lawson, Lee, A. M., Lee, K. B.,	Murray, Musto, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, Parlante, Pashley, Petrosky, Piper, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Renwick, Riley,	Varnier, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Whittaker, Willard, Willaredt, Williams, A. D., Williams, E. S., Wood, Worley, Wynd, Yetter, Zember, Zimmerman, Andrews, Speaker
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NAYS—0

NOT VOTING—18

Anderson, J. H., Arlene, Capitolo, Fineman, Gibb,	Guesman, Haudenshield, Jenkins, Kessler, Klein,	Magee, Mihm, Munley, Perry,	Reidenbach, Slack, Strausser, Wilt,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House bill No. 1421, printer's No. 1711 was passed over at the request of Mr. McCANN.

INTERROGATION

The SPEAKER. The Chair recognies the Minority Leader.

Mr. A. W. JOHNSON. Mr. Speaker, I want to ask the Majority Leader, does he intend to call up Senate bill No. 104 which is on today's calendar on final passage on page 9?

Mr. McCANN. Mr. Speaker, I do not intend to call up Senate bill No. 104 today. We intend to discuss it and call it up on Monday, July 10.

Mr. A. W. JOHNSON. I thank the gentleman.

STATEMENT BY MINORITY LEADER

Mr. A. W. JOHNSON. Mr. Speaker, I would like the opportunity to address the House with unanimous consent.

The SPEAKER. The minority floor leader and the majority floor leader are always privileged to address the House. The Chair recognizes the minority leader.

Mr. A. W. JOHNSON. Mr. Speaker, at the beginning of this week we notified the majority leader that we had amendments that we wanted to offer to Senate bill 104. He knows what the amendments are. The amendments are to incorporate House bill No. 1095 which would permit the trailers of trucks, the forty-foot trailer bill, which industry in this State is crying for. Every day this week I have asked him to call up Senate bill 104 and, for some reason, it has been put aside and put aside. There is never any time for the minority to do anything on this side. I have had members of this side of the House this week who wanted to make speeches, policy speeches. They have not been allowed to do it. The majority leader

says he will object if they do it. Now I am sick and tired of this kind of treatment. I think the majority party is being unduly unjust and arbitrary today. We were promised that this bill would come up today and now they say it is not coming up. The people of industry in this State want these amendments and they want this bill passed. There is a plant that has just closed down in York, Pennsylvania, because of dilatory tactics here in this Commonwealth. The only reason you are not calling up Senate bill 104 is because there is a person in Philadelphia who does not want those amendments, and his long arm is reaching in here and is shutting you up and you know it just as well as I do. I, therefore, make a motion that Senate bill 104 be made a special order of business immediately.

The SPEAKER. The Chair recognizes the Majority Leader.

Mr. McCANN. Mr. Speaker, I am deeply hurt by the fact that he says I object or have objected to members making policy speeches or speeches at any time. I have asked for cooperation, and rightfully so, that speeches be made at a certain time, and yet there has been no objection to either Mr. Johnson or anyone else making any speeches just as they did today.

Now then, he talks about the amendments to Senate bill or the amendments to Senate bill 192, if I have the right number, in this field, and he says the objections are only from a man in Philadelphia. Well, it is funny that I have also received objections and have asked the Secretary of Highways, Mr. Park Martin, the Pennsylvania Railroad, that has objected to this situation, and we say that we are going to bring it before our caucus on Monday. There is no question that there are people divided on both sides of the aisle.

But if, at this point, you are trying to pin-point and say that the only objections to the proposed amendments to this bill are presented by someone from Philadelphia, you are mistaken. You know quite well, as do others, Mr. Speaker, that there is an objection on our side and your side; that there are people who are for the amendments, I assume on this side and your side, and yet rightfully so. Our caucus has indicated that we would take this subject up on Monday, July 10. I am not trying to hold down anyone from making any speeches. In fact, I hope we will always have the kind of cooperation that we had on Monday when every arrangement that could be made was made for you people, and rightfully so, to attend our Past President's and Mr. Nixon's, your Presidential candidate's, dinner at Hershey. God forbid that we be here in September. We hope to have President Kennedy here at our dinner and if we would be in session you would grant the same to us.

Therefore, I know that there are members whose tempers are flying, but may I say to the gentlemen, and say it honestly, because I am accused of having one of the worst tempers around the House, I would never do that to you and I hope no one would ever do it to me.

The SPEAKER. Does the gentleman desire to make the motion in full and in proper order at this time?

MOTION TO MAKE SENATE BILL NO. 104
A SPECIAL ORDER

Mr. A. W. JOHNSON. Mr. Speaker, I move that Senate bill No. 104, printer's No. 955, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" granting the power to the Secretary of Highway to establish speed limits

on page 9 of today's calendar, bills on final passage, be made a special order of business immediately.

On the question,

Will the House agree to the motion?

The SPEAKER. For what purpose does the gentleman from Westmoreland rise?

Mr. PETROSKY. To speak on the motion, Mr. Speaker.

Mr. Speaker, from the inception of this session I know as well as each and every member sitting in this House on both sides of the aisle knows, that we have extended the courtesy to members on each side of the aisle, that whenever a particular issue before this House was not fully discussed in each of the respective caucuses, or in the event that issue was not analyzed by the people concerned, we did extend the courtesy to individual members, as well as to each party caucus, of putting a measure over in order.

Mr. Speaker, on the issue that is before us for making Senate bill 104 a special order of business, I would reiterate the word of the majority leader and submit to this House that I, too, have had a number of requests to hold this bill over in order until such time as the issue that is going to be brought before this House would be fully discussed in the caucus.

Therefore, I ask the membership of both sides of the House to support this position that we have held from the inception of this session. We must admit that we have gone far and accomplished much for the Commonwealth of Pennsylvania by observing these rules of courtesy to each other.

I ask the membership on both sides of the House to continue this practice, this courtesy, by at this time voting down the request for a special order of business on this bill. I ask you to vote "no" on the motion.

The SPEAKER. Does the gentleman from Bucks, Mr. Williams, desire to be recognized at this time?

Mr. A. D. WILLIAMS, Jr. Mr. Speaker, would the gentleman from Westmoreland, Mr. Petrosky, permit himself to be interrogated?

Mr. PETROSKY. I shall, Mr. Speaker.

Mr. A. D. WILLIAMS, Jr. Mr. Speaker, do I understand the gentleman to say that on Senate bill 104 he has had many requests to have that bill held over?

Mr. PETROSKY. I have had.

Mr. A. D. WILLIAMS, Jr. Mr. Speaker, would the gentleman check his House history and tell us when this bill went on the House calendar?

Mr. PETROSKY. Mr. Speaker, the requests for having the bill go over in order is not relevant to the time it has been on the calendar. It is relevant to the move that has been publicized in the last couple of days—as to the import of the material that will be attempted to be placed in this measure.

Mr. A. D. WILLIAMS, Jr. Mr. Speaker, then I understand, it is not Senate bill 104 which is controversial but the amendments which will be offered to it which are controversial?

Mr. PETROSKY. I think the gentleman is well aware of the fact that they are controversial on both sides of the House.

Mr. A. D. WILLIAMS, Jr. Mr. Speaker, is it my under-

standing, then, that all Senate bills having to do with amendments to the Motor Vehicle Code will, therefore, be held over? Is that correct?

Mr. PETROSKY. I did not suggest this. I suggested that on any matter of controversy on any Senate bill, we will ask for a postponement until such time as the membership of our caucus could go into the matter in full. If the gentleman's caucus has done so, we have not had an opportunity to do this as yet.

Mr. A. D. WILLIAMS, Jr. Then, Mr. Speaker, I understand that a vote not to make this bill a special order of business is a vote not to consider the 40-foot trailer amendments at this time.

Mr. PETROSKY. I would say this is true because this is the controversy and this is the law upon which I would like our side of the House to caucus upon before we come into the hall of the House to express our opinion.

Mr. A. D. WILLIAMS, Jr. Mr. Speaker, is the gentleman aware of how long these amendments have been in the hands of the majority and the minority leaders?

Mr. PETROSKY. No. I would be happy to be advised by the gentleman.

Mr. A. D. WILLIAMS, Jr. They have been in their hands at least two weeks.

Mr. PETROSKY. In answer to the question, I would say this: I can point out to the House any number of bills that have been on the calendar at least two weeks or longer on which we have not had the opportunity to caucus.

Mr. A. D. WILLIAMS, Jr. I thank the gentleman.

Mr. Speaker, will the majority leader permit himself to be interrogated?

The SPEAKER. Will the majority leader permit himself to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

Mr. A. D. WILLIAMS, Jr. Mr. Speaker, I wish to know whether or not I heard the majority leader correctly yesterday when he said that we would consider Senate bills on the calendar today?

Mr. McCANN. That is right, Mr. Speaker.

Mr. A. D. WILLIAMS, Jr. Will we consider all Senate bills, starting with the lowest in number and proceeding to the highest in number today?

Mr. McCANN. I would say that would not be correct, because there would be a considerable number of bills that would be marked over, Senate bills, that is, some of which would be amended and some on which motions would be made to recommit. At least, some members want to recommit them.

Mr. A. D. WILLIAMS, Jr. Mr. Speaker, the reason for my question is that we have been voting on House bills and I understood the majority leader to say we would concentrate on Senate bills today. I wonder if we are about to begin concentrating on Senate bills?

Mr. McCANN. Mr. Speaker, we certainly intended to finish up on as many House bills as we could and go on to the Senate bills. In fact Mr. Speaker, you are well aware that it was our assumption when I called up capital punishment yesterday—I believe that from the time I called the bill up until the roll call was announced, the time was 2 hours and 30 minutes, if I remember correctly. It was our honest estimate from the discussion that occurred the previous day that the debate would not exceed one hour until it would be voted. We counted on it to be roughly an hour. So at that point yesterday, if

you recall, we completed one other bill, I believe, after 226. I think I am correct in that, and we at that time were already past the 6 o'clock d.s.t. period at which time we had been in session continually since 11 a. m.

Mr. A. D. WILLIAMS, Jr., Mr. Speaker, I thank the gentleman. I would like to make a brief statement with the permission of the House.

Mr. Speaker, I personally would like to commend the majority leader for the gentlemanly manner in which he handles debate in this House and in which he handles requests by members of this House. The gentleman has been entirely fair with me as an individual member of the House.

I presented amendments to Senate bill 104 to the majority leader about two weeks ago and he told me that the bill would eventually be called up. Then because I realized this was a controversial matter, I prepared amendments to Senate bill 192, as the majority leader stated a few minutes ago. Both of these amendments are the same and, of course, would allow 40-foot trailers in Pennsylvania. This is a conversial issue. We in the minority have only the rights of a minority party, but we think that having waited two weeks to get this issue before this House, having been promised that it would be brought up today, I think we have every right to exercise the right of the minority to force this issue, if we have to do that.

I, for one, as an individual, can do very little, but I intend to ask that every motor vehicle bill that is called up for a vote be passed over, unless I have amendments prepared for it. If I have amendments prepared for it, I assure you those amendments will allow 40-foot trailers.

Thank you.

The SPEAKER. The Chair wonders whether the two floor leaders cannot agree upon a definite date when we would resolve this issue?

Mr. McCANN. Mr. Speaker, first I would like to answer the gentleman from Bucks, Mr. Williams.

I cannot recall, up to the present date, that ever a single bill which has been agreed to be voted on and just one person asked for it to go over for any reason, that that request has not been granted. If I am wrong, I want to be corrected now.

I stated very clearly the situation. I would be glad if the gentleman from Bucks, Mr. Williams, would ask for each bill dealing with the Motor Vehicle Code be passed over. That request would be granted.

I am aware of this problem as well as anybody else in this House and I am aware that in our caucuses we have had many problems to discuss in addition to the calendar, and that we tried to set a time next week when we would discuss this. In fact, some of the questions were already answered, I believe.

I have asked simply, and the minority leader has made the motion, that it be passed over until Monday. I notified our caucus that we will caucus at 1 o'clock promptly on Monday, July 10, and I asked every member to be there to complete these issues and the other pending issues that will be reported from the Education Committee, I assume, after their meeting on Thursday and Friday of this next week.

Therefore, I will abide by whatever is the wish, or the motion, because I have asked the Speaker and the parliamentarian as to what the parliamentary procedure is and what the votes are that are required. I have been

informed by the Speaker and the parliamentarian how it can be handled or cannot be handled, and in each case it takes a simple majority until such time as voting on a constitutional question and a constitutional majority for the bill.

The SPEAKER. The Chair would point out that our parliamentary position is this: That on any bill designed to amend the Vehicle Code, the Chair would be required to rule on the subject of amending the Vehicle Code and they would be pertinent amendments. So that any bills on the Vehicle Code are subject to amendments along the line. So that there would be no tumult and harassment, the Chair would suggest, if it is possible, for the two floor leaders to agree on a definite date when this particular issue would be resolved. As it now stands, it will be quite possible every time a bill amending the Vehicle Code was proposed, to present this particular set of amendments. That would be a constant delay and would ruffle, no doubt, the temper of the House. So the Chair, although it is not in the province of the Chair to determine, would urge the two floor leaders to agree on a definite date when these particular amendments would be disposed of.

The Chair recognizes the gentleman from Bucks.

Mr. A. D. WILLIAMS, Jr. Mr. Speaker, I want it clear that I agree with the majority leader, that what he says has been the practice. When an individual member asks that a bill be passed over he has, as has the minority leader, done just that.

I want it also clear that I think if there is any unfairness here, it is not on the part of the majority leader. I think there is no question but that he has been caught in the middle. The vast number of legislators on this side of the aisle want to consider this question, and a substantial number of the legislators on the other side of the aisle want to consider this question. The question is merely whether we want to have this matter postponed because of the special wishes of a very few.

The SPEAKER. Never having quarreled with anybody, any time, any place, the Chair is all for quietude and peace.

The Chair recognizes the minority leader.

Mr. A. W. JOHNSON. Mr. Speaker, we would like to have something done about this today and we would certainly be glad to yield for some 15 minutes while Mr. McCann calls a caucus on these amendments and the bill and come back up here.

The SPEAKER. The Chair recognizes the gentleman from Berks, Mr. Adams.

Mr. ADAMS. Mr. Speaker, I would like to speak upon the urgency of considering this motion at the present time and the need for getting action on it right away.

The SPEAKER. The gentleman is in order if he confines himself to the necessity for immediate action.

Mr. ADAMS. The necessity for immediate action is concerned with the serious unemployment situation that has developed and is further developing in Berks County where a large number of trailers and trailer frames are manufactured. One plant in particular down there, I believe, has already closed due to the hampering restrictions on trailer manufacture. Many people are out of work. The Parish Pressed Steel Company, which manufactures trailer frames, has curtailed operations and many

people are laid off and are being laid off because this legislation has been pending without action.

It has been pointed out that industry is clamoring for this, but more than industry, unions have written letters to me clamoring for action on this, union members have come to me clamoring for action on this legislation. For the most part they are not members of the minority party, they are members of the majority party, and I wish it to be on the record that it is not the fault at this time, of the minority party that action is not being taken on this legislation and let the blame be placed where it belongs, if it is not where it should be, if this bill is not going to be taken up at the present time.

PARLIAMENTARY INQUIRY

The SPEAKER. For what purpose does the gentleman from Delaware, Mr. Lippincott, rise?

Mr. LIPPINCOTT. Mr. Speaker, I rise to a point of parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. LIPPINCOTT. What is the order of business at this time?

The SPEAKER. The order of business is the motion made by the minority leader.

Mr. LIPPINCOTT. After the motion is voted upon and assuming that it is defeated, what would then be the order of business?

The SPEAKER. The bill is on final passage or third reading, depending upon subsequent action.

Mr. LIPPINCOTT. Is there a particular sequence to be followed, under the rules?

The SPEAKER. In the order in which bills appear on the calendar or the selection made with the consent of the House by the majority leader.

Mr. LIPPINCOTT. I thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Messrs. A. W. JOHNSON and PETROSKY and were as follows:

YEAS—93

Adams,	Fox,	Kistler,	Simmons,
Anderson, J. H.,	Fulmer,	Knecht,	Snare,
Ashton,	George,	Kooker,	Steckel,
Auker,	Gibbons,	Korns,	Stimmel,
Backenstoe,	Goldstein, J. H.,	Lee, A. M.,	Stiteler,
Blair,	Goldstein, M. H.,	Lee, K. B.,	Thompson,
Bossert,	Goodrich,	Lippincott,	Tompkins,
Bower,	Gramlich,	Manbeck,	Trusilo,
Bowman,	Gross,	Markley,	Ujobal,
Buchanan,	Guthrie,	Marsh,	Varner,
Bush,	Heffner,	May,	Wall,
Davis,	Helm,	McCandless,	Weidner,
Dengler,	Henzel,	McInroy,	Wescott,
Dennison,	Holl,	Merry,	Whittaker,
Donaldson,	Holliday,	Miller,	Willard,
Down,	Holman,	O'Dell,	Willaredt,
Edwards,	Horst,	Ogilvie,	Williams, A. D.,
Elvey,	Isaacs,	Piper,	Williams, E. S.,
Eshback,	Johnson, A. W.,	Price,	Wood,
Eshleman,	Johnson, R. P.,	Pursley,	Worley,
Esler,	Kelser,	Royer,	Wynd,
Ewing,	Kernaghan,	Rutherford,	Zember,
Fetterolf,	King,	Seltzer,	Zimmerman,
Foot,			

NAYS—98

Anderson, S. A.,	Gelfand,	McDevitt,	Renwick,
Boles,	Gray,	McDonald,	Riley,
Bonner,	Greenlee,	McKeever,	Rovansok,
Branca,	Gremminger,	McLaughlin,	Rubin,
Breth,	Hamilton,	McNally,	Rudisill,

Capano, Cauley, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Dougherty, Doughten, Ellberg, Farabaugh, Filo, Flynn, Foerster, Frascella, Fry, Galley, Gallagher,	Hankins, Hartley, Heavey, Irvia, Jim, Jones, Kamyk, Kelly, Kornick, Kramer, Lamb, Lawson, Leonard, Limper, Long, Wm. Jas., Long, Wm. Jos., Lutty, Maxwell, McCann, McCormack,	Meholchick, Mills, Monroe, Morley, Mullen, Murphy, Murray, Musto, Needham, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Parlante, Pashley, Petrosky, Polaski, Polen, Prendergast, Reibman,	Sakulsky, Scarcelli, Schaaf, Schuster, Shelton, Sherman, Shupnik, Stank, Stone, Sullivan, J. A., Sullivan, T. F., Taylor, Tomascik, Verona, Walsh, Wargo, Welsh, Yetter, Andrews, Speaker
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NOT VOTING—19

Arlene, Bachman, Capitolo, Fineman, Gibb,	Guesman, Haudenshield, Hocker, Jenkins, Kessler,	Klein, Magee, Mihm, Munley, Perry,	Reidenbach, Slack, Strausser, Wilt,
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So the question was determined in the negative and the motion was not agreed to.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1463, entitled:

An Act amending "The First Class Township Code," approved June 24, 1931 (P. L. 1206), clarifying the meaning of "frontage abutting on the sewer," for the purpose of sewer assessments.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—129

Anderson, S. A., Ashton, Auker, Bachman, Boles, Bonner, Bower, Branca, Breth, Capano, Cauley, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Dengler, Donaldson, Dougherty, Doughten, Edwards, Ellberg, Esler, Farabaugh, Fetterolf, Filo, Flynn, Foerster, Frascella, Fry, Galley, Gallagher,	Gelfand, Goldstein, M. H., Goodrich, Gray, Greenlee, Gremminger, Hamilton, Hankins, Hartley, Heavey, Henzel, Holl, Holliday, Irvia, Jim, Jones, Kamyk, Kelly, Knecht, Kornick, Kramer, Lamb, Lawson, Lee, K. B., Leonard, Limper, Long, Wm. Jas., Long, Wm. Jos., Lutty, Manbeck, Marsh, May,	Maxwell, McCann, McCormack, McDevitt, McDonald, McNroy, McKeever, McLaughlin, Meholchick, Miller, Mills, Monroe, Morley, Mullen, Murphy, Murray, Musto, Needham, O'Donnell, J. A., O'Donnell, J. P., Parlante, Petrosky, Piper, Polaski, Polen, Prendergast, Price, Pursley, Renwick, Riley, Rovaneck, Rubin,	Rudisill, Sakulsky, Scarcelli, Schaaf, Schuster, Seltzer, Shelton, Sherman, Shupnik, Snare, Stank, Stimmel, Stiteler, Stone, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomascik, Ujobal, Varner, Verona, Wall, Wargo, Welsh, Wescott, Willaredt, Williams, A. D., Williams, E. S., Wynd, Yetter, Andrews, Speaker
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NAYS—60

Adams, Anderson, J. H., Backenstoe, Blair, Bossert, Bowman, Buchanan, Bush, Davis, Dennison, Down, Elvey, Eshback, Eshleman, Ewing,	Foor, Fox, Fulmer, George, Gibbons, Goldstein, J. H., Gramlich, Gross, Guthrie, Heffner, Helm, Hocker, Holman, Horst, Isaacs,	Johnson, A. W., Johnson, R. P., Kelser, Kernaghan, King, Kistler, Kooker, Korns, Lee, A. M., Lippincott, Markley, McCandless, Merry, O'Dell, Odorisio,	Ogilvie, Pashley, Reibman, Royer, Rutherford, Simmons, Steckel, Walsh, Weidner, Whittaker, Willard, Wood, Worley, Zember, Zimmerman,
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NOT VOTING—21

Arlene, Capitolo, Cooley, Fineman, Gibb, Guesman,	Haudenshield, Jenkins, Kessler, Klein, Magee,	McNally, Mihm, Munley, Perry, Reidenbach,	Slack, Strausser, Tompkins, Trusio, Wilt,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Mr. McCANN. Mr. Speaker, could I have the attention of the membership of the House?

I have received a telephone call, and, in checking very carefully, I find that Senate bill 201 was passed yesterday. I would like to know if the bill was delivered to the Senate at this point. There is in one place, I believe, the words "hospital aged," and it should say "hospital and aged" because it means a world of difference in the program, I am asking if we could, before the session is over, reconsider the vote to amend the bill so it could be complete. Otherwise, it is a Senate bill going back. They would have to non-concur and have it go to conference committee to correct the one word to come back.

The SPEAKER. The Chair has requested the chief clerk to ascertain the status of the bill. If the Senate were in session we could ask permission to recall the bill.

Mr. McCANN. It is in their possession now?

The SPEAKER. The chief clerk will ascertain just where it is and report later.

Mr. McCANN. Mr. Speaker, then I will call up House bill 1484, printer's No. 1817.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1484, entitled:

An Act amending the act of May 22, 1933 (P. L. 851), entitled "An act fixing the pay and mileage of jurors and witnesses," clarifying the mileage reimbursement to jurors.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

Adams,	Fulmer,	Limper,	Rovansek,
Anderson, J. H.,	Gallagher,	Lippincott,	Royer,
Anderson, S. A.,	Gelfand,	Long, Wm. Jas.,	Rubin,
Ashton,	George,	Long, Wm. Jos.,	Rudisill,
Auker,	Gibbons,	Lutty,	Rutherford,
Bachman,	Goldstein, J. H.,	Manbeck,	Sakulsky,
Backenstoe,	Goldstein, M. H.,	Markley,	Scarcell,
Boles,	Goodrich,	Marsh,	Schaaf,
Bonner,	Gramlich,	May,	Schuster,
Bossert,	Gray,	Maxwell,	Seltzer,
Bower,	Greenlee,	McCandless,	Shelton,
Bowman,	Gremminger,	McCann,	Sherman,
Branca,	Gross,	McGormack,	Shupnik,
Breth,	Guthrie,	McDevitt,	Simmons,
Buchanan,	Hamilton,	McDonald,	Snare,
Bush,	Hankins,	McInroy,	Stank,
Capano,	Hartley,	McKeever,	Steckel,
Cauley,	Heavey,	McLaughlin,	Stimmel,
Ciafrani,	Heffner,	McNally,	Stiteler,
Cioffi,	Helm,	Meholchick,	Stone,
Clarke,	Henzel,	Merry,	Sullivan, J. A.,
Comer,	Hocker,	Miller,	Sullivan, T. F.,
Cooley,	Holl,	Mills,	Taylor,
Crossin,	Holliday,	Monroe,	Thompson,
Curwood,	Holman,	Morley,	Tomasck,
Davis,	Horst,	Mullen,	Tompkins,
Dengler,	Irvis,	Murphy,	Ujobai,
Dennison,	Isaacs,	Murray,	Varner,
Donaldson,	Jim,	Musto,	Verona,
Dougherty,	Johnson, A. W.,	Needham,	Wall,
Doughten,	Johnson, R. P.,	O'Dell,	Walsh,
Down,	Jones,	O'Donnell, J. A.,	Wargo,
Edwards,	Kamyk,	O'Donnell, J. P.,	Weidner,
Elberg,	Keiser,	Odorisio,	Welsh,
Elvey,	Kelly,	Ogilvie,	Wescott,
Eshback,	Kernaghan,	Parlante,	Whittaker,
Eshleman,	King,	Pashley,	Willard,
Esler,	Kistler,	Petrosky,	Willaredt,
Ewing,	Knecht,	Piper,	Williams, A. D.,
Farabaugh,	Kooker,	Polaski,	Williams, E. S.,
Fetterolf,	Kornick,	Polen,	Wood,
Filo,	Korns,	Prendergast,	Worley,
Flynn,	Kramer,	Price,	Wynd,
Foerster,	Lamb,	Pursley,	Yetter,
Foor,	Lawson,	Reibman,	Zember,
Fox,	Lee, A. M.,	Reidenbach,	Zimmerman,
Frascella,	Lee, K. B.,	Renwick,	Andrews,
Fry,	Leonard,	Riley,	Speaker

NAYS—1

Galley,

NOT VOTING—18

Arlene,	Guesman,	Magee,	Slack,
Blair,	Haudenshield,	Mihm,	Strausser,
Capitolo,	Jenkins,	Munley,	Trusio,
Fineman,	Kessler,	Perry,	Wilt,
Gibb,	Klein,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1494, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey .096 acres of land more or less situate in the city of Bethlehem Northampton County.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

Adams,	Fulmer,	Limper,	Rubin,
Anderson, J. H.,	Galley,	Lippincott,	Rudisill,
Anderson, S. A.,	Gallagher,	Long, Wm. Jas.,	Rovansek,
Ashton,	Gelfand,	Long, Wm. Jos.,	Royer,
Auker,	George,	Lutty,	Rutherford,
Bachman,	Gibbons,	Manbeck,	Sakulsky,
Backenstoe,	Goldstein, J. H.,	Markley,	Scarcell,
Blair,	Goldstein, M. H.,	Marsh,	Schaaf,
Boles,	Goodrich,	Maxwell,	Schuster,
Bonner,	Gramlich,	May,	Seltzer,
Bossert,	Gray,	McCandless,	Shelton,
Bower,	Greenlee,	McCann,	Simmons,
Bowman,	Gremminger,	McCormack,	Sherman,
Breth,	Gross,	McDevitt,	Shupnik,
Buchanan,	Guthrie,	McDonald,	Snare,
Bush,	Hamilton,	McInroy,	Stank,
Capano,	Hankins,	McKeever,	Steckel,
Cauley,	Hartley,	McLaughlin,	Stimmel,
Ciafrani,	Heavey,	McNally,	Stiteler,
Cioffi,	Heffner,	Meholchick,	Stone,
Clarke,	Helm,	Merry,	Sullivan, J. A.,
Comer,	Henzel,	Miller,	Sullivan, T. F.,
Cooley,	Hocker,	Mills,	Taylor,
Crossin,	Holl,	Monroe,	Tomasck,
Curwood,	Holliday,	Morley,	Thompson,
Davis,	Holman,	Mullen,	Tompkins,
Dengler,	Horst,	Murphy,	Ujobai,
Dennison,	Irvis,	Murray,	Varner,
Donaldson,	Isaacs,	Musto,	Verona,
Dougherty,	Jim,	Needham,	Wall,
Doughten,	Johnson, A. W.,	O'Dell,	Walsh,
Down,	Johnson, R. P.,	O'Donnell, J. A.,	Wargo,
Edwards,	Jones,	O'Donnell, J. P.,	Weidner,
Elberg,	Kamyk,	Odorisio,	Welsh,
Elvey,	Keiser,	Ogilvie,	Wescott,
Eshback,	Kelly,	Parlante,	Whittaker,
Eshleman,	Kernaghan,	Pashley,	Willard,
Esler,	King,	Petrosky,	Willaredt,
Ewing,	Kistler,	Piper,	Williams, A. D.,
Farabaugh,	Knecht,	Polaski,	Williams, E. S.,
Fetterolf,	Kooker,	Polen,	Wood,
Filo,	Korns,	Prendergast,	Worley,
Flynn,	Kramer,	Price,	Wynd,
Foerster,	Lamb,	Pursley,	Yetter,
Foor,	Lawson,	Reibman,	Zember,
Fox,	Lee, A. M.,	Renwick,	Zimmerman,
Frascella,	Lee, K. B.,	Riley,	Andrews,
Fry,	Leonard,		Speaker

NAYS—0

NOT VOTING—20

Arlene,	Guesman,	Kornick,	Reidenbach,
Branca,	Haudenshield,	Magee,	Slack,
Capitolo,	Jenkins,	Mihm,	Strausser,
Fineman,	Kessler,	Munley,	Trusio,
Gibb,	Klein,	Perry,	Wilt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1495, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey .096 acres of land more or less situate in the city of Bethlehem Northampton County.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

Adams,	Galley,	Limper,	Rovansek,
Anderson, J. H.	Gallagher,	Lippincott,	Royer,
Anderson, S. A.,	Gelfand,	Long, Wm. Jas.,	Rubin,
Ashton,	George,	Long, Wm. Jos.,	Rudisill,
Auker,	Gibbons,	Lutty,	Rutherford,
Backenstoe,	Goldstein, J. H.,	Manbeck,	Sakulsky,
Boles,	Goldstein, M. H.,	Markley,	Scarcelll,
Bonner,	Goodrich,	Marsh,	Schaaf,
Bossert,	Gramlich,	Maxwell,	Schuster,
Bower,	Gray,	May,	Seltzer,
Bowman,	Greenlee,	McCandless,	Shelton,
Branca,	Gremminger,	McCann,	Sherman,
Breth,	Gross,	McCormack,	Shupnik,
Buchanan,	Guthrie,	McDevitt,	Simmons,
Bush,	Hamilton,	McDonald,	Snare,
Capano,	Hankins,	McInroy,	Stank,
Cauley,	Hartley,	McKeever,	Steckel,
Cianfrani,	Heavey,	McLaughlin,	Stimmel,
Cloffi,	Heffner,	McNally,	Stiteler,
Clarke,	Heim,	Meholchick,	Stone,
Comer,	Henzel,	Merry,	Sullivan, J. A.,
Cooley,	Hocker,	Miller,	Sullivan, T. F.,
Crossin,	Holl,	Mills,	Taylor,
Curwood,	Holliday,	Monroe,	Thompson,
Davis,	Holman,	Morley,	Tomasck,
Dengler,	Horst,	Mullen,	Tompkins,
Dennison,	Irvia,	Murphy,	Ujobal,
Donaldson,	Isaacs,	Murray,	Varner,
Dougherty,	Jim,	Musto,	Verona,
Doughten,	Johnson, A. W.,	Needham,	Wall,
Down,	Johnson, R. P.,	O'Dell,	Walsh,
Edwards,	Jones,	O'Donnell, J. A.,	Wargo,
Ellberg,	Kamyk,	O'Donnell, J. P.,	Weidner,
Elvey,	Kelser,	Odorisio,	Welsh,
Eshback,	Kelly,	Ogilvie,	Wescott,
Eshleman,	Kernaghan,	Parlante,	Whittaker,
Esler,	Kling,	Pashley,	Willard,
Ewing,	Kistler,	Petrosky,	Willaredt,
Farabaugh,	Knecht,	Piper,	Williams, A. D.,
Fetterolf,	Kooker,	Polaski,	Williams, E. S.,
Fillo,	Kornick,	Polen,	Wood,
Flynn,	Korns,	Prendergast,	Worley,
Foerster,	Kramer,	Price,	Wynd,
Foor,	Lamb,	Pursley,	Yetter,
Fox,	Lawson,	Reibman,	Zember,
Frascella,	Lee, A. M.,	Renwick,	Zimmerman,
Fry,	Lee, K. B.,	Riley,	Andrews,
Fulmer,	Leonard,		Speaker

NAYS—0

NOT VOTING—20

Arlene,	Gibb,	Klein,	Reidenbach,
Bachman	Guesman,	Slack,	Slack,
Blair,	Haudenschild,	Mihm,	Strausser,
Capitolo,	Jenkins,	Munley,	Trusio,
Fineman,	Kessler,	Perry,	Wilt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1541, entitled:

An Act relating to the manufacture sale and possession of drugs devices and cosmetics conferring powers on the courts and the Secretary and Department of Health providing penalties and for the revocation or suspension of certain licenses making an appropriation to the Department of Health and repealing certain acts.

On the question,

Will the House agree to the bill on third reading?

Mr. MAXWELL asked unanimous consent to offer amendments to this time.

The SPEAKER. The amendments will be read by the clerk for information.

Amend Section 2, page 2, line 15, by inserting after "accessories" And provided that the drug provisions of this act shall not apply to medicated feed intended for and used exclusively as food for animals other than man

Amend Section 27, page 51, lines 17 to 20 by striking out all of said lines.

Amend Section 28, page 52, line 1, by striking out "28" and inserting 27

Amend Section 29, page 52, line 6, by striking out "29" and inserting 28

Amend Section 30, page 52, line 13, by striking out "30" and inserting 29

Amend Section 31, page 53, line 11, by striking out all of said line and inserting

Section 30. This act shall take effect on January 2, 1962.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1668, entitled:

An Act amending the "Vital Statistics Law of 1953" approved June 29, 1953 (P. L. 304), requiring reports of deaths to be made to County Registration Commissions.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—189

Adams,	Fulmer,	Lee, K. B.,	Renwick,
Anderson, J. H.	Galley,	Leonard,	Riley,
Anderson, S. A.,	Gallagher,	Limper,	Rovansek,
Ashton,	Gelfand,	Lippincott,	Royer,
Auker,	George,	Long, Wm. Jas.,	Rubin,
Bachman	Gibbons,	Long, Wm. Jos.,	Rudisill,
Backenstoe,	Goldstein, J. H.,	Lutty,	Rutherford,
Blair,	Goldstein, M. H.,	Manbeck,	Sakulsky,
Boles,	Goodrich,	Markley,	Scarcelll,
Bonner,	Gramlich,	Marsh,	Schaaf,
Bossert,	Gray,	Maxwell,	Schuster,
Bower,	Greenlee,	May,	Seltzer,
Bowman,	Gremminger,	McCandless,	Sherman,
Branca,	Gross,	McCann,	Shupnik,
Breth,	Guthrie,	McCormack,	Simmons,
Buchanan,	Hamilton,	McDevitt,	Snare,
Bush,	Hankins,	McDonald,	Stank,
Capano,	Hartley,	McInroy,	Steckel,
Cauley,	Heavey,	McKeever,	Stiteler,
Cianfrani,	Heffner,	McLaughlin,	Stone,
Cloffi,	Heim,	McNally,	Sullivan, J. A.,
Clarke,	Henzel,	Meholchick,	Sullivan, T. F.,
Comer,	Hocker,	Merry,	Taylor,
Cooley,	Holl,	Miller,	Thompson,
Crossin,	Holliday,	Mills,	Tomasck,
Davis,	Holman,	Monroe,	Tompkins,
Dengler,	Horst,	Morley,	Ujobal,
Dennison,	Irvia,	Mullen,	Varner,
Donaldson,	Isaacs,	Murphy,	Verona,
Dougherty,	Jim,	Murray,	Wall,
Doughten,	Johnson, A. W.,	Musto,	Walsh,
Down,	Johnson, R. P.,	Needham,	Wargo,
Edwards,	Jones,	O'Dell,	Weidner,
Ellberg,	Kamyk,	O'Donnell, J. A.,	Welsh,
Elvey,	Kelser,	Odorisio,	Wescott,

Eshback,
Eshleman,
Esler,
Ewing,
Farabaugh,
Fetterolf,
Filo,
Flynn,
Foerster,
Foor,
Fox,
Frascella,
Fry,

Kelly,
Kernaghan,
King,
Kistler,
Knecht,
Kooker,
Kornick,
Korns,
Kramer,
Lamb,
Lawson,
Lee, A. M.,

Ogilvie,
Parlante,
Pashley,
Petrosky,
Piper,
Polaski,
Polen,
Prendergast,
Price,
Pursley,
Reibman,
Reidenbach,

Whittaker,
Willard,
Willaredt,
Williams, A. D.,
Williams, E. S.,
Wood,
Worley,
Wynd,
Yetter,
Zember,
Zimmerman,
Andrews,

Speaker

NAYS—3

Curwood, O'Donnell, J. P., Shelton,

NOT VOTING—18

Arlene,
Capitolo,
Fineman,
Gibb,
Guesman,

Haudenschild,
Jenkins,
Kessler,
Klein,
Magee,

Mihm,
Munley,
Perry,
Slack,

Stimmel,
Strausser,
Trusio,
Wilt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 114, entitled:

An Act reenacting and amending section 13 and Article VII of Chapter II of the act of December 15, 1959 (P. L. 1779), entitled "The Fish Law of 1959" removing the requirement that fishermen be licensed in order to fish in certain regulated fishing lakes further regulating the issuance of permits or bills of sale for fish caught in such lakes changing penalties relating to such lakes and harmonizing language of existing law.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER. The Chair recognizes the gentleman from Elk, Mr. Renwick.

Mr. RENWICK. Mr. Speaker, I want to call the attention of the House to this bill.

As you know, back in the session of 1953, the fish commission came here and asked us to increase the fishing license fee. They asked us, for one reason, because they said they did not have enough money to operate a good fishing program in the State of Pennsylvania. After much debate and a lot of things were done, we decided we would go along with them.

Again in 1957 they came back here and told us they had to have another increase, they had to have more money. We went along with a 75-cent increase in license. Now, here today we have a bill in which they are giving a free fishing license to anyone who fishes in a free lake. I say this: It is going to cost the fish commission a lot of money if this bill passes and I am going to ask you what is going to happen to the fishing in the State of Pennsylvania. We do not have enough money now to operate a good fish commission, so here we are giving certain people, class legislation, class people, who operate fishing lakes the right to have fishermen fish in these lakes free.

Now I am going to say this: What will happen to the game? We have a lot of game land, which of course is privately owned, they are private reserves, and why is it all right for them to hunt in those reserves without a license? It comes under the same category, so I am asking every member of this House to consider very seriously this bill.

I happened to attend the meeting of the Pennsylvania Federation of Sportsmen's Clubs when the resolution was presented that affected this bill, and I want to say this: at that meeting there were a lot of pros and cons, and, if I recall, the vote was something like 23 to 21. You can see there are a lot of people who represented sportmen's clubs who were opposed to this and they are fishermen. They are people who like to fish.

I am asking every member on both sides of the aisle to vote this bill down.

Mr. FETTEROLF. Mr. Speaker, in answer to the gentleman from Elk I would agree with him that at the outset of the enforcement of this act that the fish commission may lose some money, but I believe in the long run the fact that there are no licenses required in private preserves might very well be beneficial to the fish commission in creating additional interest in fishing generally among the public, and I think that in the long run the early losses will be more than recouped by the added interest created by allowing people to fish in these private preserves without a license.

Mr. BRETH. Mr. Speaker, I would like to interrogate the gentleman from Elk, Mr. Renwick.

The SPEAKER. Will the gentleman from Elk, Mr. Renwick, permit himself to be interrogated?

Mr. RENWICK. I shall, Mr. Speaker.

Mr. BRETH. Mr. Speaker, do I understand that the Pennsylvania Federation of Sportsmen's Clubs endorsed this bill?

Mr. RENWICK. They did, by a very close vote, I might add.

Mr. BRETH. At the same time they endorsed this bill did they take any other action regarding the lack of funds for the fish commission and in any way try to alleviate the situation and obtain more funds for the fish commission?

Mr. RENWICK. They certainly did, and I would like to say this to every one in this House, that the Pennsylvania Federation of Sportsmen endorsed a program whereby they would obtain revenue by licensing children between the ages of 12 and 16, I believe are the ages, thereby obtaining revenue in that manner to offset this loss.

Mr. BRETH. Does the gentleman know of any measure that was introduced to cover the resolution, that was adopted by the Pennsylvania Federation of Sportsmen's Clubs to make children 14 and 15 pay a full \$3.25 fishing license? Does the gentleman know of any legislation or an attempt to introduce legislation on this?

Mr. RENWICK. There is legislation in the House right now.

Mr. BRETH. But for a dollar that covers children from 12 to 16.

Mr. RENWICK. That is right, but the Sportsmen's Club, in their resolution, said they would obtain the full fishing license, \$3.25.

Mr. BRETH. Now, since the gentleman comes from a fishing territory, has he been feeling the effects of lack of funds in the fisheries' program in Pennsylvania?

Mr. RENWICK. Definitely, there is a lack of funds. They do not have the money right now to rehabilitate some of our streams. We have brought up the question at different times that our streams are in bad shape and the commission does not have enough to improve these streams. The people from all over the different counties can see that the streams need to be fixed up, and, of course, they do not have the revenue to do it.

Mr. BRETH. Does the gentleman have any way of estimating the loss of revenue to the fish commission if this bill passes?

Mr. RENWICK. It is hard to estimate, but I would think it safe to assume it would be in the neighborhood of \$100,000.

Mr. BRETH. That is all, and I thank the gentleman.

Mr. Speaker, I hate to be placed in the position of trying to stem the streaming tide and I do not think I am going to succeed, but essentially when a department of state has to depend upon the legislature in many, many instances to acquire funds sufficient to keep it going, a bill of this kind can be dangerous.

We have had before us in the past measures to raise the fishing license. It is only a few years ago that we raised it 75 cents. Two years before that we raised it 50 cents. Today I assure you the fish commission will seriously lack funds. Now any other department in the State can run a deficit. The Pennsylvania Fish Commission cannot run a deficit because its funds are entirely sacrosanct and we cannot vote general funds to the Pennsylvania Fish Commission. Therefore, the only thing the fish commission can do when it does lack funds is curtail fishery services as it has in the past four or five years. The production and stocking of trout alone has dropped from 2,800,000 legal trout to below 2,000,000. This very year, the in-season stocking of trout is away below even what it was last year, and last year it was below what it was before that. As a result, licenses have been dropping seriously. We are down 150,000 licenses to 200,000 licenses over four or five years ago.

I think it is rather a singular compliment to the forces who favor this type of legislation, who want this privileged legislation, who want this class legislation, in convincing this legislature to pass such a bill as this is.

More than that I cannot say. Just a moment ago we saw the board light up with green. That should have been the tip-off to me and to the gentleman from Elk County to cease fire, to pull in our shots, to beat a retreat, as it were. But I do not see it. I say the thing is the men of this House who know and should know the facts of these matters are perhaps voting on this without sufficient information as to the full and complete effects of this bill.

As the gentleman from Elk, Mr. Renwick, said, next year we will be asked perhaps to dole out hunting licenses for the public shooting grounds. The end is not yet. This is establishing, I believe, a serious precedent at a time when the fish commission truly needs funds.

I say that no one, no one in this House can estimate the number of licenses that will be sacrificed with this bill's passage.

No one can tell you or me whether the fish commission

will suffer \$50,000, \$100,000, or even a greater loss of its funds.

I do not really expect this bill not to pass, but I do think that you should give it serious consideration, and I do say that perhaps this is not the time to pass this bill.

The SPEAKER. The Chair recognizes the gentleman from Cameron, Mr. Tompkins.

Mr. TOMPKINS. Mr. Speaker, I look up at the ceiling of this beautiful hall, I see written up there, "And Ye Shall Know The Truth And The Truth Shall Make You Free."

I am so happy at this time to hear the changed tune, the different song and dance on this bill regarding the expenditure of fish funds against my objection to the \$100,000 annually being taken out of the fish fund and given to the General State Authority in connection with a lot of programs that went through this House earlier this year.

The SPEAKER. The Chair recognizes the gentleman from Luzerne, Mr. Curwood.

Mr. CURWOOD. Mr. Speaker, I am going to make the shortest speech of this House. I am going to congratulate my colleagues for their stand and I know that everybody in the House knows exactly how I was going to vote. I would suggest—let's vote!

On the question recurring,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—164

Adams,	Frascella,	Lee, A. M.,	Royer,
Anderson, J. H.,	Fulmer,	Lee, K. B.,	Rubin,
Anderson, S. A.,	Gallagher,	Leonard,	Rudisill,
Auker,	George,	Limper,	Rutherford,
Bachman,	Gibbons,	Lippincott,	Sakulsky,
Backenstoe,	Goldstein, J. H.,	Long, Wm. Jas.,	Schaaf,
Blair,	Goldstein, M. H.,	Long, Wm. Jos.,	Schuster,
Boles,	Goodrich,	Lutty,	Seltzer,
Bonner,	Gramlich,	Manbeck,	Shelton,
Bossert,	Gremminger,	Markley,	Sherman,
Bowman,	Guthrie,	Maxwell,	Simmons,
Branca,	Hamilton,	May,	Snare,
Buchanan,	Hankins,	McCandless,	Stank,
Bush,	Hartley,	McCann,	Steckel,
Capano,	Heavey,	McDevitt,	Stimmel,
Caulley,	Heffner,	McDonald,	Stone,
Cioffi,	Helm,	McInroy,	Sullivan, J. A.,
Clarke,	Henzel,	McKeever,	Sullivan, T. F.,
Comer,	Hocker,	McLaughlin,	Taylor,
Cooley,	Holl,	McNally,	Thompson,
Crossin,	Holliday,	Meholchick,	Tomasick,
Curwood,	Holman,	Merry,	Tompkins,
Davis,	Horst,	Miller,	Trusio,
Dengler,	Irvis,	Mills,	Ujobai,
Dennison,	Isaacs,	Monroe,	Varner,
Donaldson,	Jim,	Morley,	Wall,
Dougherty,	Johnson, A. W.,	Mullen,	Walsh,
Doughten,	Johnson, R. P.,	Murphy,	Weldner,
Down,	Jones,	Musto,	Welsh,
Edwards,	Kamyk,	O'Dell,	Wescott,
Ellberg,	Kelser,	O'Donnell, J. A.,	Whittaker,
Elvey,	Kelly,	O'Donnell, J. P.,	Willard,
Eshback,	Kernaghan,	Odorisio,	Willaredt,
Esler,	Kling,	Ogilvie,	Williams, A. D.,
Ewing,	Kistler,	Parlante,	Williams, E. S.,
Fetterolf,	Knecht,	Petrosky,	Wood,
Filo,	Kooker,	Piper,	Wynd,
Flynn,	Kornick,	Polen,	Yetter,
Foerster,	Kramer,	Prendergast,	Zember,
Foor,	Lamb,	Price,	Zimmerman,
Fox,	Lawson,	Riley,	Andrews,

Speaker

NAYS—24

Bower,	Gross,	Polaski,	Scarcelll,
Breth,	Korns,	Pursley,	Shupnik,
Cianfrani,	Marsh,	Reibman,	Stiteler,

Eshleman,
Galley,
Greenlee,

McCormack,
Needham,
Pashley,

Reidenbach,
Renwick,
Rovarsek,

Verona,
Wargo,
Worley,

NOT VOTING—22

Arlene,
Ashton,
Capitolo,
Farabaugh,
Fineman,
Fry,

Gelfand,
Gibb,
Gray,
Guesman,
Haudenshield,
Jenkins,

Kessler,
Klein,
Magee,
Mihm,
Munley,

Murray,
Perry,
Slack,
Strausser,
Wilt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Mr. HELM IN THE CHAIR

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 125, entitled:

A Joint Resolution proposing an amendment to article three of the Constitution of the Commonwealth of Pennsylvania authorizing and validating legislation establishing emergency interim government.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—184

Adams,	Fulmer,	Long, Wm. Jas.,	Rubin,
Anderson, J. H.	Galley,	Long, Wm. Jos.,	Rudisill,
Anderson, S. A.,	Gallagher,	Lutty,	Rutherford,
Ashton,	George,	Manbeck,	Sakulsky,
Auker,	Gibbons,	Markley,	Scarcelli,
Bachman	Goldstein, J. H.,	Marsh,	Schaaf,
Backenstoe,	Goodrich,	Maxwell,	Schuster,
Blair,	Gramlich,	May,	Seltzer,
Boles,	Gray,	McCandless,	Shelton,
Bonner,	Greenlee,	McCann,	Sherman,
Bossert,	Gremminger,	McCormack,	Shupnik,
Bower,	Gross,	McDevitt,	Simmons,
Bowman,	Guthrie,	McDonald,	Snare,
Branca,	Hamilton,	McInroy,	Stank,
Breth,	Hankins,	McKeever,	Steckel,
Buchanan,	Hartley,	McLaughlin,	Stimmel,
Bush,	Heavey,	McNally,	Stiteler,
Capano,	Helm,	Meholchick,	Stone,
Cianfrani,	Henzel,	Merry,	Sullivan, J. A.,
Cioffi,	Hocker,	Miller,	Sullivan, T. F.,
Clarke,	Holl,	Mills,	Taylor,
Comer,	Holliday,	Monroe,	Thompson,
Cooley,	Holman,	Morley,	Tomasck,
Crossin,	Horst,	Murphy,	Tompkins,
Curwood,	Irviss,	Musto,	Trusio,
Davis,	Isaacs,	Needham,	Ujobal,
Dengler,	Jim,	O'Dell,	Varnier,
Dennison,	Johnson, A. W.,	O'Donnell, J. A.,	Verona,
Donaldson,	Johnson, R. P.,	O'Donnell, J. P.	Wall,
Dougherty,	Jones,	Odoristo,	Walsh,
Down,	Kelser,	Ogilvie,	Wargo,
Edwards,	Kelly,	Parlante,	Weidner,
Elberg,	Kernaghan,	Pashley,	Welsh,
Elvey,	King,	Petrosky,	Wescott,
Eshback,	Kistler,	Piper,	Whittaker,
Eshleman,	Knecht,	Polaski,	Willard,
Esler,	Kooker,	Polen,	Willardt,
Ewing,	Kornick,	Prendergast,	Williams, A. D.,
Farabaugh,	Korn,	Price,	Williams, E. S.,
Fetterolf,	Kramer,	Pursley,	Wood,
Filo,	Lawson,	Reibman,	Worley,
Flynn,	Lee, A. M.,	Reidenbach,	Wynd,
Foerster,	Lee, K. B.,	Renwick,	Yetter,
Foor,	Leonard,	Riley,	Zember,

Fox,
Frascella,

Limper,
Lippincott,

Rovasek,
Royer,

Zimmerman,
Andrews,
Speaker

NAYS—0

NOT VOTING—26

Arlene,
Capitolo,
Caulley,
Doughten,
Fineman,
Fry,
Gelfand,

Gibb,
Goldstein, M. H.,
Guesman,
Haudenshield,
Heffner,
Jenkins,
Kamyk,

Kessler,
Klein,
Lamb,
Magee,
Mihm,
Mullen,

Munley,
Murray,
Perry,
Slack,
Strausser,
Wilt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 133, entitled:

An Act amending the act of June 1, 1959 (P. L. 392), entitled "State Employees' Retirement Code of 1959" redefining the words "final average salary" for retirement of officers and employees of the Pennsylvania State Police.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—183

Adams,	Frascella,	Lippincott,	Rudisill,
Anderson, J. H.	Fry,	Long, Wm. Jas.,	Rutherford,
Anderson, S. A.,	Fulmer,	Long, Wm. Jos.,	Sakulsky,
Ashton,	Galley,	Manbeck,	Scarcelli,
Auker,	Gallagher,	Markley,	Schaaf,
Bachman	George,	Marsh,	Schuster,
Backenstoe,	Gibbons,	Maxwell,	Seltzer,
Blair,	Goldstein, J. H.,	May,	Shelton,
Boles,	Goodrich,	McCandless,	Sherman,
Bonner,	Gramlich,	McCann,	Shupnik,
Bossert,	Gray,	McCormack,	Simmons,
Bower,	Greenlee,	McDevitt,	Snare,
Bowman,	Gremminger,	McDonald,	Stank,
Branca,	Gross,	McKeever,	Steckel,
Breth,	Guthrie,	McLaughlin,	Stimmel,
Buchanan,	Hamilton,	McNally,	Stiteler,
Bush,	Hankins,	Meholchick,	Stone,
Capano,	Hartley,	Merry,	Sullivan, J. A.,
Cianfrani,	Heavey,	Miller,	Sullivan, T. F.,
Cioffi,	Helm,	Mills,	Taylor,
Clarke,	Hocker,	Monroe,	Thompson,
Comer,	Holl,	Morley,	Tomasck,
Cooley,	Holliday,	Murphy,	Tompkins,
Crossin,	Holman,	Musto,	Trusio,
Curwood,	Horst,	Needham,	Ujobal,
Davis,	Irviss,	O'Dell,	Varnier,
Dengler,	Isaacs,	O'Donnell, J. A.,	Verona,
Dennison,	Jim,	O'Donnell, J. P.,	Wall,
Donaldson,	Johnson, A. W.,	Odoristo,	Walsh,
Dougherty,	Jones,	Ogilvie,	Wargo,
Doughten,	Kamyk,	Parlante,	Weidner,
Down,	Kelser,	Pashley,	Welsh,
Edwards,	Kelly,	Petrosky,	Wescott,
Elberg,	Kernaghan,	Piper,	Whittaker,
Elvey,	King,	Polaski,	Willard,
Eshback,	Kistler,	Polen,	Willardt,
Eshleman,	Knecht,	Prendergast,	Williams, A. D.,
Esler,	Kooker,	Price,	Williams, E. S.,
Ewing,	Kornick,	Pursley,	Wood,
Farabaugh,	Korn,	Reibman,	Worley,
Fetterolf,	Kramer,	Reidenbach,	Wynd,
Filo,	Lamb,	Renwick,	Yetter,

Flynn, Foerster, Foor, Fox,	Lawson, Lee, A. M., Lee, K. B., Limper,	Riley, Rovanssek, Royer, Rubin,	Zember, Zimmerman, Andrews, Speaker
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NAYS—0

NOT VOTING—27

Arlene, Capitolo, Cauley, Fineman, Gelfand, Gibb, Goldstein, M. H.,	Guesman, Haudenshield, Heffner, Henzel, Jenkins, Johnson, R. P., Kessler,	Klein, Leonard, Lutty, Magee, McInroy, Mihm, Mullen,	Munley, Murray, Perry, Slack, Strausser, Wilt,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 182, entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code," regulating the use of land for sanitary land fills by zoning.

An said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—180

Adams, Anderson, J. H. Anderson, S. A., Ashton, Auker, Bachman Backenstoe, Blair, Boles, Bonner, Bossert, Bower, Bowman, Branca, Breth, Buchanan, Bush, Capano, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dengler, Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Elvey, Eshback, Eshleman, Esler, Ewing, Farabaugh, Feterolf, Filo, Flynn, Foerster,	Frascella, Fry, Fulmer, Galley, Gallagher, Gelfand, Gibbons, Goldstein, J. H., Goodrich, Gramlich, Gray, Greenlee, Gremminger, Gross, Guthrie, Hamilton, Hankins, Hartley, Heavey, Heffner, Heim, Henzel, Hocker, Holl, Holliday, Horst, Irvis, Isaacs, Jim, Johnson, R. P., Jones, Kamyk, Kelser, Kelly, Kernaghan, King, Kistler, Knecht, Kooker, Kornick, Korns, Kramer, Lamb,	Limper, Lippincott, Long, Wm. Jas., Long, Wm. Jos., Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McCormack, McDevitt, McDonald, McInroy, McKeever, McLaughlin, McNally, Meholchick, Merry, Miller, Mills, Monroe, Morley, Murphy, Musto, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, Parlante, Pashley, Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick,	Royer, Rubin, Rudisill, Rutherford, Sakulsky, Scarcelli, Schaaf, Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Snare, Stank, Steckel, Stimmel, Stiteler, Stone, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomascik, Tompkins, Ujobai, Varnar, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Whittaker, Willard, Willaredt, Williams, A. D., Williams, E. S., Wood, Wynd, Yetter, Zember,
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Foor, Fox,	Lawson, Lee, A. M.,	Riley, Rovanssek,	Zimmerman, Andrews, Speaker
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NAYS—3

Lee, K. B.,	Piper,	Worley,
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NOT VOTING—27

Arlene, Capitolo, Cauley, Ellberg, Fineman, George, Gibb,	Goldstein, M. H., Guesman, Haudenshield, Holman, Jenkins, Johnson, A. W., Kessler,	Klein, Leonard, Lutty, Magee, Mihm, Mullen, Munley,	Murray, Perry, Slack, Strausser, Trusio, Wilt,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 183, entitled:

An Act amending the act of May 4, 1927 (P. L. 518), entitled "The Borough Code," providing that applicants for the position of policeman and fireman need not be residents of the borough and authorizing residence to be required after appointment as police and firemen.

An said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—175

Adams, Anderson, S. A., Ashton, Auker, Bachman, Backenstoe, Blair, Boles, Bonner, Bossert, Bower, Bowman, Branca, Breth, Buchanan, Bush, Capano, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dengler, Dennison, Donaldson, Doughten, Down, Edwards, Ellberg, Elvey, Eshleman, Esler, Ewing, Farabaugh, Feterolf, Filo, Flynn,	Fulmer, Galley, Gallagher, Gelfand, George, Gibbons, Goldstein, J. H., Goodrich, Gray, Greenlee, Gremminger, Guthrie, Hamilton, Hankins, Hartley, Heavey, Heffner, Heim, Henzel, Hocker, Holl, Holliday, Holman, Horst, Irvis, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kelser, Kelly, Kernaghan, King, Kistler, Knecht, Kooker, Kornick, Korns, Kramer,	Long, Wm. Jas., Long, Wm. Jos., Manbeck, Markley, Marsh, Maxwell, McCandless, McCann, McCormack, McDevitt, McDonald, McInroy, McKeever, McLaughlin, McNally, Merry, Meholchick, Miller, Mills, Monroe, Morley, Mullen, Murphy, Musto, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, Parlante, Petrosky, Piper, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach,	Rubin, Rudisill, Rutherford, Sakulsky, Scarcelli, Schaaf, Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Snare, Stank, Steckel, Stimmel, Stiteler, Stone, Sullivan, T. F., Taylor, Thompson, Tomascik, Trusio, Ujobai, Varnar, Verona, Wall, Walsh, Weidner, Welsh, Wescott, Whittaker, Willard, Willaredt, Williams, A. D., Williams, E. S., Wargo, Wood, Worley, Wynd, Yetter,
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Foor, Fox, Frascella, Fry,	Lawson, Lee, A. M., Lee, K. B., Lippincott,	Renwick, Riley, Rovansek, Royer,	Zember, Zimmerman, Andrews, Speaker
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NAYS—8

Anderson, J. H., Eshback,	Foerster, Gross,	Isaacs, Pashley,	Tompkins, Walsh,
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NOT VOTING—27

Arlene, Capitolo, Cauley, Dougherty, Fineman, Gibb, Goldstein, M. H.,	Gramlich, Guesman, Haudenshield, Jenkins, Kessler, Klein, Lamb,	Leonard, Limper, Lutty, Magee, May, Mihm, Munley,	Murray, Perry, Slack, Strausser, Sullivan, J. A., Wilt,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 186, entitled:

An Act amending the act of May 4, 1927 (P. L. 519), entitled "The Borough Code," authorizing the purchase or condemnation of unobstructed views at curves and intersections.

An said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—173

Anderson, J. H., Anderson, S. A., Ashton, Auker, Bachman, Backenstoe, Blair, Boles, Bonner, Bossert, Bower, Bowman, Branca, Breth, Buchanan, Bush, Capano, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dengler, Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Ellberg, Esleman, Esler, Ewing, Farabaugh, Fetterolf, Filo,	Fulmer, Gailey, Gallagher, Gelfand, Gibbons, Goldstein, J. H., Goodrich, Gramlich, Gray, Greenlee, Gremminger, Gross, Guthrie, Hamilton, Hankins, Hartley, Heavey, Heffner, Helm, Henzel, Hocker, Holl, Holliday, Irvis, Isaacs, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kelser, Kelly, Kernaghan, King, Kistler, Knecht, Kooker, Kornick, Korns,	Limper, Lippincott, Long, Wm. Jas., Long, Wm. Jos., Manbeck, Markley, Marsh, May, Maxwell, McCandless, McCann, McDevitt, McDonald, McInroy, McKeever, McLaughlin, McNally, Meholchick, Merry, Miller, Mills, Monroe, Morley, Mullen, Murphy, Musto, Needham, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, Parlante, Pashley, Petrosky, Piper, Polaski, Polen, Prendergast, Pursley,	Rovansek, Royer, Rubin, Rudisill, Rutherford, Sakulsky, Scarcelli, Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Snare, Stank, Steckel, Stimmel, Stone, Sullivan, T. F., Taylor, Thompson, Tomascik, Tompkins, Trusio, Ujobal, Varner, Verona, Wargo, Walsh, Weidner, Welsh, Wescott, Whittaker, Willard, Willaredt, Williams, A. D., Williams, E. S., Wood, Worley,
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Flynn, Foerster, Fox, Frascella, Fry,	Kramer, Lawson, Lee, A. M., Lee, K. B.,	Reibman, Reldenbach, Renwick, Riley,	Wynd, Yetter, Zember, Andrews, Speaker
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NAYS—13

Adams, Elvey, Eshback, Foor,	George, Holman, Horst,	McCormack, O'Dell, Price,	Schaaf, Stiteler, Zimmerman,
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NOT VOTING—24

Arlene, Capitolo, Cauley, Fineman, Gibb, Goldstein, M. H.,	Guesman, Haudenshield, Jenkins, Kessler, Klein, Lamb,	Leonard, Lutty, Magee, Mihm, Munley, Murray,	Perry, Slack, Strausser, Sullivan, J. A., Wall, Wilt,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 219, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), restricting speed in areas near playgrounds and providing penalties.

On the question,

Shall the bill pass finally?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be re-committed to the Committee on Rules.

The motion was agreed to.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate bill No. 88, entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "An act relating to counties of the third fourth fifth sixth seventh and eighth classes amending revising consolidating and changing the laws relating thereto," abolishing county institution districts in counties of the fourth fifth and sixth classes transferring their property powers duties and obligations to counties prescribing certain further duties of county commissioners with regard to persons in foster homes and as to children and youth and regulating payments for care.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—148

Adams, Anderson, J. H., Anderson, S. A., Auker, Bachman, Backenstoe, Blair, Boles, Bossert, Bowman, Branca,	Gallagher, Gelfand, George, Gibbons, Goodrich, Gramlich, Gray, Greenlee, Gremminger, Guthrie, Hamilton,	Long, Wm. Jas., Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McCormack, McDevitt, McKeever,	Riley, Rovansek, Rubin, Rudisill, Rutherford, Sakulsky, Scarcelli, Schaaf, Schuster, Seltzer, Shelton,
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Breth,	Hankins,	McLaughlin,	Sherman,
Buchanan,	Hartley,	McNally,	Shupnik,
Capano,	Heavey,	Meholchick,	Simmons,
Cianfrani,	Helm,	Miller,	Snare,
Cioffi,	Henzel,	Mills,	Stank,
Clarke,	Hocker,	Monroe,	Steckel,
Comer,	Holl,	Morley,	Stimmel,
Cooley,	Holliday,	Mullen,	Stone,
Crossin,	Holman,	Murphy,	Sullivan, J. A.,
Curwood,	Irvis,	Musto,	Sullivan, T. F.,
Davis,	Jim,	Needham,	Taylor,
Dennison,	Johnson, A. W.,	O'Dell,	Thompson,
Donaldson,	Johnson, R. P.,	O'Donnell, J. A.,	Tomasick,
Doughten,	Jones,	O'Donnell, J. P.,	Varner,
Ellberg,	Kamyk,	Ogilvie,	Verona,
Elvey,	Kelser,	Parlante,	Walsh,
Eshleman,	Kelly,	Pashley,	Wargo,
Esler,	King,	Petrosky,	Weidner,
Farabaugh,	Kistler,	Piper,	Welsh,
Fetterolf,	Knecht,	Polaski,	Wescott,
Filo,	Kornick,	Polen,	Willaredt,
Flynn,	Korns,	Prendergast,	Williams, A. D.,
Foerster,	Kramer,	Pursley,	Wynd,
Frascella,	Lawson,	Reibman,	Yetter,
Fry,	Lee, A. M.,	Reidenbach,	Zember,
Galley,	Limper,	Renwick,	Andrews,

Speaker

NAYS—35

Ashton,	Fox,	Lippincott,	Ujobai,
Bonner,	Fulmer,	McInroy,	Wall,
Bower,	Goldstein, J. H.,	Merry,	Whittaker,
Bush,	Gross,	Odorisio,	Willard,
Dengler,	Horst,	Price,	Williams, E. S.,
Down,	Isaacs,	Royer,	Wood,
Edwards,	Kernaghan,	Stiteler,	Worley,
Eshback,	Kooker,	Tompkins,	Zimmerman,
Foor,	Lee, K. B.,	Trusio,	

NOT VOTING—27

Arlene,	Goldstein, M. H.,	Lamb,	Munley,
Capitolo,	Guesman,	Leonard,	Murray,
Cauley,	Haudenshield,	Long, Wm. Jos.,	Perry,
Dougherty,	Heffner,	Lutty,	Slack,
Ewing,	Jenkins,	Magee,	Strausser,
Fineman,	Kessler,	McDonald,	Wilt,
Gibb,	Klein,	Mihm,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate bill No. 239, entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code," authorizing the closing of court houses and other county offices on Saturdays in counties of the third class.

On the question,

Shall the bill pass finally?

Mr. McCANN. Mr. Speaker, this is Senate bill 239, on the closing of the court house.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—93

Adams,	Guthrie,	Long, Wm. Jos.,	Riley,
Anderson, S. A.,	Hamilton,	Marsh,	Rovansek,
Bachman,	Hankins,	McCann,	Rubin,
Boles,	Helm,	McCormack,	Scarcelli,
Bonner,	Henzel,	McDevitt,	Schuster,
Branca,	Hocker,	McDonald,	Sherman,

Breth,	Holl,	McKeever,	Shupnik,
Bush,	Holman,	McLaughlin,	Stank,
Capano,	Irvis,	McNally,	Stone,
Cianfrani,	Isaacs,	Meholchick,	Sullivan, J. A.,
Cioffi,	Jim,	Monroe,	Sullivan, T. F.,
Clarke,	Johnson, A. W.,	Mullen,	Taylor,
Cooley,	Johnson, R. P.,	Murphy,	Tomasick,
Crossin,	Jones,	Musto,	Trusio,
Curwood,	Kamyk,	Needham,	Walsh,
Dengler,	Kelser,	O'Donnell, J. P.,	Wargo,
Dougherty,	Kelly,	Odorisio,	Weidner,
Doughten,	Kernaghan,	Parlante,	Welsh,
Ellberg,	Kistler,	Pashley,	Wescott,
Fetterolf,	Kornick,	Petrosky,	Whittaker,
Filo,	Kramer,	Piper,	Willaredt,
Flynn,	Lawson,	Polaski,	Wynd,
Gibbons,	Lippincott,	Polen,	Zember,
Goodrich,			

NAYS—91

Anderson, J. H.,	Frascella,	Limper,	Sakulsky,
Ashton,	Fry,	Manbeck,	Schaaf,
Auker,	Fulmer,	Markley,	Seltzer,
Backenstoe,	Galley,	Maxwell,	Shelton,
Blair,	Gallagher,	May,	Simmons,
Bossert,	Gelfand,	McCandless,	Snare,
Bower,	George,	McInroy,	Steckel,
Bowman,	Goldslein, J. H.,	Merry,	Stiteler,
Buchanan,	Gramlich,	Miller,	Thompson,
Comer,	Gray,	Mills,	Tompkins,
Davis,	Greenlee,	Morley,	Ujobai,
Dennison,	Gremminger,	O'Dell,	Varner,
Donaldson,	Gross,	O'Donnell, J. A.,	Verona,
Down,	Hartley,	Ogilvie,	Wall,
Edwards,	Heavey,	Prendergast,	Willard,
Elvey,	Holliday,	Price,	Williams, A. D.,
Eshback,	Horst,	Pursley,	Williams, E. S.,
Eshleman,	King,	Reibman,	Wood,
Esler,	Knecht,	Reidenbach,	Worley,
Farabaugh,	Kooker,	Renwick,	Yetter,
Foerster,	Korns,	Royer,	Zimmerman,
Foor,	Lee, A. M.,	Rudisill,	Andrews,
Fox,	Lee, K. B.,	Rutherford,	Speaker

NOT VOTING—26

Arlene,	Guesman,	Leonard,	Murray,
Capitolo,	Haudenshield,	Long, Wm. Jas.,	Perry,
Cauley,	Heffner,	Lutty,	Slack,
Ewing,	Jenkins,	Magee,	Stimmel,
Fineman,	Kessler,	Mihm,	Strausser,
Gibb,	Klein,	Munley,	Wilt,
Goldstein, M. H.,	Lamb,		

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 156, entitled:

An Act amending the "Municipal Employees' Retirement Law," approved June 4, 1943 (P. L. 886), including officers and employees of certain associations within the act.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER pro tempore. The Chair recognizes the gentleman from York, Mr. Gailey.

Mr. GAILEY. Mr. Speaker, it is my understanding of this bill that it permits certain employees of associations to become members of the municipal employees' retirement act.

It seems to me that by no stretch of the imagination

can these employes of associations be said to be municipal employes. It seems to me that this is a group which the legislature certainly did not want to encompass within the act when it was originally introduced and the whole crux of the act as it is now on our books, we are opening the door to inclusion within a retirement group, in effect a group of people who are completely unrelated to the group that normally should be included therein.

I think this is bad legislation. I think it sets a very bad precedent for including within retirement groups people who are not related to the group for whose benefit the system is set up. I would ask members on both sides of the House to vote against this legislation.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—99

Anderson, S. A.,	Fulmer,	McDevitt,	Schaaf,
Ashton,	Gallagher,	McDonald,	Schuster,
Bachman,	Goodrich,	McLaughlin,	Seltzer,
Boles,	Greenlee,	Meholchick,	Shelton,
Bonner,	Gremminger,	Mills,	Snare,
Bowman,	Hamilton,	Monroe,	Stank,
Branca,	Hankins,	Mullen,	Stone,
Cioffi,	Heavey,	Murphy,	Sullivan, J. A.,
Clarke,	Henzel,	Musto,	Sullivan, T. F.,
Comer,	Holl,	Needham,	Taylor,
Cooley,	Irvis,	O'Dell,	Tomascik,
Crossin,	Jim,	O'Donnell, J. A.,	Trusio,
Curwood,	Johnson, A. W.,	O'Donnell, J. P.,	Ujobal,
Dennison,	Kamyk,	Parlante,	Varner,
Donaldson,	Kelser,	Petrosky,	Verona,
Dougherty,	Kelly,	Polaski,	Walsh,
Down,	Knecht,	Polen,	Welsh,
Ellberg,	Kramer,	Prendergast,	Wescott,
Eshback,	Lee, A. M.,	Price,	Willard,
Esler,	Limper,	Pursley,	Willaredt,
Fetterolf,	Long, Wm. Jos.,	Reidenbach,	Williams, E. S.,
Filo,	Manbeck,	Rubin,	Wynd,
Flynn,	Maxwell,	Rudisill,	Yetter,
Frascella,	McCann,	Sakulsky,	Zimmerman,
Fry,	McCormack,	Scarcelli,	

NAYS—81

Adams,	Gelfand,	Kooker,	Renwick,
Anderson, J. H.,	George,	Kornick,	Riley,
Auker,	Gibbons,	Korns,	Rovansek,
Backenstoe,	Goldstein, J. H.,	Lawson,	Royer,
Blair,	Gramlich,	Lee, K. B.,	Rutherford,
Bossert,	Gray,	Markley,	Sherman,
Breth,	Gross,	Marsh,	Shupnik,
Buchanan,	Guthrie,	May,	Simmons,
Bush,	Hartley,	McCandless,	Steckel,
Cianfrani,	Helm,	McInroy,	Stiteler,
Davis,	Hocker,	McKeever,	Thompson,
Dengler,	Holliday,	McNally,	Tompkins,
Doughten,	Holman,	Merry,	Wall,
Edwards,	Horst,	Miller,	Weidner,
Elvey,	Isaacs,	Morley,	Whittaker,
Eshleman,	Johnson, R. P.,	Odorisio,	Williams, A. D.,
Farabaugh,	Jones,	Ogilvie,	Wood,
Foerster,	Kernaghan,	Pashley,	Worley,
Foor,	King,	Piper,	Zember,
Fox,	Kistler,	Reibman,	Zimmerman,
Galley,			Andrews,

NOT VOTING—30

Arlene,	Goldstein, M. H.,	Leonard,	Murray,
Bower,	Guesman,	Lippincott,	Perry,
Capano,	Haudenshield,	Long, Wm. Jas.,	Slack,
Capitolo,	Heffner,	Lutty,	Stimmel,
Cauley,	Jenkins,	Magge,	Strausser,
Ewing,	Kessler,	Mihm,	Wargo,
Fineman,	Klein,	Munley,	Wilt,
Gibb,	Lamb,		

Less than the majority required by the Constitution

having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 260, entitled:

An Act amending the act of July 20, 1917 (P. L. 1158), entitled "An act to fix regulate and establish the fees to be charged and received by constables in this Commonwealth," increasing the fees in certain cases.

An said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—166

Adams,	Fulmer,	Markley,	Rudisill,
Anderson, J. H.,	Galley,	Marsh,	Rutherford,
Anderson, S. A.,	Gallagher,	Maxwell,	Sakulsky,
Ashton,	Gelfand,	May,	Scarcelli,
Bachman,	George,	McCandless,	Schaaf,
Backenstoe,	Gibbons,	McCann,	Schuster,
Blair,	Goldstein, J. H.,	McDevitt,	Seltzer,
Boles,	Goodrich,	McDonald,	Shelton,
Bonner,	Gramlich,	McInroy,	Sherman,
Bossert,	Gray,	McKeever,	Shupnik,
Bowman,	Gremminger,	McLaughlin,	Simmons,
Branca,	Guthrie,	McNally,	Snare,
Breth,	Hamilton,	Meholchick,	Stank,
Buchanan,	Hankins,	Merry,	Steckel,
Bush,	Hartley,	Miller,	Stiteler,
Capano,	Heavey,	Mills,	Stone,
Cianfrani,	Helm,	Monroe,	Sullivan, J. A.,
Cioffi,	Henzel,	Morley,	Sullivan, T. F.,
Clarke,	Hocker,	Mullen,	Taylor,
Comer,	Holliday,	Murphy,	Thompson,
Cooley,	Horst,	Musto,	Tomascik,
Crossin,	Irvis,	Needham,	Tompkins,
Curwood,	Isaacs,	O'Dell,	Ujobal,
Davis,	Jim,	O'Donnell, J. A.,	Varner,
Dengler,	Johnson, A. W.,	O'Donnell, J. P.,	Verona,
Dennison,	Johnson, R. P.,	Odorisio,	Wall,
Dougherty,	Jones,	Ogilvie,	Wargo,
Doughten,	Kamyk,	Parlante,	Weidner,
Down,	Kelser,	Petrosky,	Welsh,
Edwards,	Kernaghan,	Piper,	Wescott,
Ellberg,	King,	Polaski,	Whittaker,
Elvey,	Knecht,	Polen,	Willard,
Eshback,	Kooker,	Prendergast,	Willaredt,
Eshleman,	Kornick,	Price,	Williams, A. D.,
Farabaugh,	Korns,	Pursley,	Williams, E. S.,
Fetterolf,	Kramer,	Reibman,	Wood,
Filo,	Lawson,	Reidenbach,	Wynd,
Flynn,	Lee, A. M.,	Renwick,	Yetter,
Foor,	Lee, K. B.,	Riley,	Zember,
Frascella,	Limper,	Rovansek,	Zimmerman,
Fry,	Long, Wm. Jos.,	Royer,	Andrews,
	Manbeck,		Speaker

NAYS—12

Auker,	Fox,	Holman,	Pashley,
Donaldson,	Greenlee,	Kistler,	Walsh,
Esler,	Gross,	McCormack,	Worley,

NOT VOTING—32

Arlene,	Guesman,	Lamb,	Murray,
Bower,	Haudenshield,	Leonard,	Perry,
Capitolo,	Heffner,	Lippincott,	Rubin,
Cauley,	Holl,	Long, Wm. Jas.,	Slack,
Ewing,	Jenkins,	Lutty,	Stimmel,
Fineman,	Kelly,	Magge,	Strausser,
Gibb,	Kessler,	Mihm,	Trusio,
Goldstein, M. H.,	Klein,	Munley,	Wilt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 621, entitled:

An Act requiring a guard to be posted when a manhole is entered or when tests are being performed at a manhole and providing penalties.

On the question,

Will the House agree to the bill on third reading?

Mr. KORNICK asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Title, page 1, second and third lines of Title, by striking out "OR WHEN TESTS ARE BEING PERFORMED AT A MANHOLE" and inserting: imposing powers and duties on the Department of Labor and Industry and authorizing said department to promulgate rules and regulations relating to manholes

Amend Sec. 1, page 1, lines 1 and 2; page 2, lines 1 to 3, by striking out all of said lines, and inserting:

Section 1. Any person whose duties require him to enter a manhole

Amend Sec. 1, page 2, line 5, by inserting after "manhole" or who violates any rules or regulations of the Department of Labor and Industry promulgated pursuant to this act

Amend Bill, page 2, by inserting after line 8:

Section 2. It shall be the duty of the Department of Labor and Industry to enforce the provisions of this act and to promulgate rules and regulations relating to manholes and protection of the public from the dangers thereof of not inconsistent with the provisions of section 1 of this act. The Department of Labor and Industry shall have the power to inspect and enter any manhole to ensure compliance with this act or any rules or regulations promulgated pursuant thereto, and shall have the power to stop any operation involving the use of a manhole until the provisions of this act and the rules and regulations promulgated pursuant thereto are complied with.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 522, entitled:

An Act amending the act of April 12, 1951 (P. L. 90), entitled "Liquor Code" further regulating the issuance of new hotel licenses.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Greene, Mr. McCann, the majority leader.

Mr. McCANN. Mr. Speaker, the reason we are calling up Senate bill 522, even though I believe the other group did not get to caucus on it, is that 522 is an amendment to the liquor code dealing with the issuance of new hotel licenses. In the Commonwealth of Pennsylvania licenses are issued twice a year only, the dates being May 1 and November 1.

A hotel is built and completed in Pennsylvania, ready to be opened in the period of around July 12 to 15—I forget the date. The liquor board cannot issue any hotel license, even though it is a very large hotel, except on the first day of November.

This amendment to the liquor code gives the liquor board the right to issue the hotel licenses as indicated in there, and I believe if some people are willing to come into the Commonwealth and build a large hotel that we should grant them this right because of their investment and so they may open at the time when the hotel is properly completed.

I ask your support for the bill because of the one hotel that has now been built and will be ready on July 12, complete. It could not open any of its operations in the field of handling liquor, beer and wine before the first day of November, even though the hotel would be open in July.

Therefore, I ask you to vote "aye" on the bill, and I hope it will pass so that it may be enacted into law to take care of the hotels.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—115

Adams,	Foerster,	Long, Wm. Jos.,	Reibman,
Anderson, S. A.,	Frascella,	Markley,	Reidenbach,
Baohman,	Galley,	Marsh,	Renwick,
Backenstoe,	Gallagher,	Maxwell,	Riley,
Blair,	Gelfand,	McCann,	Rovansek,
Boles,	Gibbons,	McCormack,	Rubin,
Bonner,	Gramlich,	McDevitt,	Sakulsky,
Bossert,	Gray,	McDonald,	Scarcelli,
Branca,	Greenlee,	McKeever,	Schaaf,
Breth,	Gremminger,	McLaughlin,	Schuster,
Capano,	Hamilton,	McNally,	Shelton,
Cianfrani,	Hankins,	Meholchick,	Sherman,
Cioffi,	Hartley,	Mills,	Shupnik,
Clarke,	Heavey,	Monroe,	Stank,
Comer,	Henzel,	Morley,	Steckel,
Cooley,	Irlvis,	Mullen,	Stone,
Crossin,	Isaacs,	Musto,	Sullivan, J. A.,
Curwood,	Jlm,	Needham,	Sullivan, T. F.,
Dengler,	Johnson, R. P.,	O'Dell,	Taylor,
Dennison,	Jones,	O'Donnell, J. A.,	Tomascik,
Dougherty,	Kamyk,	O'Donnell, J. P.,	Truslo,
Doughten,	Kelly,	Odoristo,	Varnar,
Ellberg,	Kernaghan,	Parlante,	Verona,
Elvey,	Knecht,	Pashley,	Wargo,
Eshback,	Kornick,	Petrosky,	Weidner,
Farabaugh,	Kramer,	Piper,	Welsh,
Fetterolf,	Lawson,	Polaski,	Yetter,
Filo,	Lee, A. M.,	Polen,	Andrews,
Flynn,	Limper,	Prendergast,	Speaker

NAYS—67

Anderson, J. H.,	George,	Lee, K. B.,	Stiteler,
Ashton,	Goldstein, J. H.,	Manbeck,	Thompson,
Auker,	Goodrich,	May,	Tompkins,
Bower,	Gross,	McCandless,	Ujobal,
Bowman,	Guthrie,	McInroy,	Wall,
Buchanan,	Helm,	Merry,	Wescott,
Buah,	Hocker,	Miller,	Whittaker,
Davis,	Holl,	Murphy,	Willard,
Donaldson,	Holliday,	Ogilvie,	Willaredt,
Down,	Holman,	Price,	Williams, A. D.,

Edwards, Eshleman, Esler, Foor, Fox, Fry, Fulmer,	Horst, Johnson, A. W., Kelser, King, Kistler, Kooker, Korns,	Pursley, Royer, Rudisill, Rutherford, Seltzer, Simmons, Snare,	Williams, E. S., Wood, Worley, Wynd, Zember, Zimmerman,
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NOT VOTING—28

Arlene, Capitolo, Cauley, Ewing, Fineman, Gibb, Goldstein, M. H.,	Guesman, Haudenshield, Heffner, Jenkins, Kessler, Klein, Lamb,	Leonard, Lippincott, Long, Wm. Jas., Lutty, Magee, Mihm, Munley,	Murray, Perry, Slack, Stimmel, Strausser, Walsh, Wilt,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 570, entitled:

An Act changing the name of the Municipal Court of Philadelphia to the County Court of Philadelphia.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. A. M. Lee.

Mr. A. M. LEE. Just briefly, Mr. Speaker. On our side we have not caucused on this bill, and I would like to say for the benefit of the members of the Republican caucus that the only thing this bill does is to change the name of the Municipal Court of Philadelphia to the County Court of Philadelphia. I have no objection to it. I intend to vote for it.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—179

Adams, Anderson, J. H., Anderson, S. A., Ashton, Auker, Bachman, Backenstoe, Blair, Boles, Bonner, Bossert, Bower, Bowman, Branca, Breth, Buchanan, Bush, Capano, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis,	Fry, Fulmer, Galley, Gallagher, Gelfand, George, Gibbons, Goldstein, J. H., Goodrich, Gramlich, Gray, Greenlee, Gremmlinger, Gross, Guthrie, Hamilton, Hankins, Hartley, Heavey, Helm, Henzel, Hocker, Holl, Holliday, Holman, Irvis,	Long, Wm. Jos., Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McCormack, McDevitt, McDonald, McInroy, McKeever, McLaughlin, McNally, Meholchick, Merry, Miller, Mills, Monroe, Morley, Mullen, Murphy, Musto, Needham, O'Dell,	Rubin, Rudisill, Rutherford, Sakulsky, Scarcelli, Schaaf, Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Snare, Stank, Steckel, Stiteler, Stone, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomascik, Tompkins, Trusilo, Ujobal, Varner,
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Dengler, Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Ellberg, Eshback, Eshleman, Esler, Farabaugh, Fetterolf, Flo, Flynn, Foerster, Foor, Fox, Frascella,	Isaacs, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kelser, Kelly, Kernaghan, King, Kistler, Knecht, Kooker, Kornick, Korns, Kramer, Lawson, Lee, A. M., Lee, K. B.,	O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, Parlante, Pashley, Petrosky, Piper, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick, Riley, Rovanske, Royer,	Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Whittaker, Willard, Willaredt, Williams, A. D., Williams, E. S., Wood, Wynd, Yetter, Zember, Zimmerman, Andrews, Speaker
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NAYS—1

Worley,

NOT VOTING—30

Arlene, Capitolo, Cauley, Elvey, Ewing, Fineman, Gibb, Goldstein, M. H.,	Guesman, Haudenshield, Heffner, Horst, Jenkins, Kessler, Klein, Lamb,	Leonard, Limper, Lippincott, Long, Wm. Jas., Lutty, Magee, Mihm,	Munley, Murray, Perry, Slack, Stimmel, Strausser, Wilt,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 58.

An Act Amending the act of November 19, 1959 (P. L. 1548), entitled "An act to provide temporary supplemental retirement benefits for certain annuitants of the Public School Employees' Retirement System creating a special fund in the custody of the State Treasurer imposing duties on the Public School Employees' Retirement Board and making an appropriation" extending the time for receipt of benefits and including disability annuitants and making an appropriation.

With the information that the Senate had passed the same with amendments in which the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The clerk will read the amendments.

The clerk read the amendments as follows:

Amend Title, page 1, next to last line by inserting after the word "annuitants" the following: "and making an appropriation," Section 1, page 2, line 1, by striking out after the word and figure "Section 1" the word and figure "Section 1" and inserting in lieu thereof the words and figures "Sections 1 and 4"; line 6, by striking out after the word "appropriation" the word "is" and inserting in lieu thereof the word "are"; line 12, by striking out after the word and figures "June 30" the figures "1962" and inserting in lieu thereof the figures "1963"; line 15, by striking out after the word and figures "June 30" the figures "1962" and inserting in lieu thereof the figures "1963";

page 3, line 1, by striking out after the word and figures "June 30" the figures "1962" and inserting in lieu thereof the figures "1963"; line 4, by striking out after the word and figures "June 30" the figures "1962" and inserting in lieu thereof the figures "1963"; and by striking out line 17, as follows: "Section 2 Section 4 of the act is amended to read"; page 4, by adding Section 2, as follows:

Section 2 This act shall take effect immediately.

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Cameron, Mr. Tompkins.

Mr. TOMPKINS. Mr. Speaker, I want to make a statement. I wish the gentleman from Washington, Mr. Polen, would listen and see if I make this statement correctly.

The amendments to the bill as it left the House only extended the benefits for 13 months and the appropriation for 13 months.

Mr. POLEN. That is correct, Mr. Speaker.

Mr. TOMPKINS. The amendments inserted by the Senate, as I understand, extend the benefits for a period of 25 months, which leaves the appropriation for only one year and we, therefore, can, in 1962, provide for the appropriation for the fiscal year of July 1, 1962, to June 30, 1963.

Mr. POLEN. That is correct, Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, we have not caucused on these bills and I understand the payments run out for these people involved in this. So, therefore, we will concur.

Mr. McCANN. Mr. Speaker, that is correct and that is the reason we are concurring, so that when the Senate comes here it will be complete, because the payments cannot be made unless this is enacted into law. I ask that the members do concur.

On the question recurring,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—179

Adams,	Fulmer,	Long, Wm. Jos.,	Rudisill,
Anderson, J. H.	Galley,	Manbeck,	Rutherford,
Anderson, S. A.,	Gallagher,	Markley,	Sakulsky,
Ashton,	Gelfand,	Marsh,	Scarcelli,
Auker,	George,	Maxwell,	Schaaf,
Bachman	Gibbons,	May,	Schuster,
Backenstoe,	Goldstein, J. H.,	McCandless,	Seltzer,
Blair,	Goldstein, M. H.,	McCann,	Shelton,
Bonner,	Goodrich,	McCormack,	Sherman,
Bossert,	Gramlich,	McDevitt,	Shupnik,
Bower,	Gray,	McDonald,	Simmons,
Bowman,	Greenlee,	McInroy,	Snare,
Branca,	Gremminger,	McKeever,	Stank,
Breth,	Gross,	McLaughlin,	Steckel,
Buchanan,	Guthrie,	McNally,	Stiteler,
Bush,	Hamilton,	Meholchick,	Stone,
Capano,	Hankins,	Merry,	Sullivan, J. A.,
Cioffi,	Hartley,	Miller,	Sullivan, T. F.,
Clarke,	Heavey,	Mills,	Taylor,
Comer,	Helm,	Monroe,	Thompson,
Cooley,	Henzel,	Morley,	Tomasick,
Crossin,	Hocker,	Mullen,	Tompkins,
Curwood,	Holl,	Murphy,	Trusio,
Davis,	Holliday,	Musto,	Ujobal,
Dengler,	Holman,	Needham,	Varner,
Dennison,	Horst,	O'Dell,	Verona,
Donaldson,	Irvie,	O'Donnell, J. A.,	Wargo,

Dougherty,
Doughten,
Down,
Edwards,
Ellberg,
Elvey,
Eshback,
Eshleman,
Esler,
Farabaugh,
Fetterolf,
Filo,
Flynn,
Foerster,
Foor,
Fox,
Frascella,
Fry,

Isaacs,
Jim,
Johnson, R. P.,
Jones,
Kelly,
Kaiser,
Kernaghan,
King,
Kistler,
Knecht,
Kooker,
Kornick,
Korns,
Kramer,
Lawson,
Lee, A. M.,
Lee, K. B.,
Limper,

O'Donnell, J. P.,
Odoristo,
Oglvie,
Parlante,
Pashley,
Petrosky,
Piper,
Polaski,
Polen,
Prendergast,
Price,
Pursley,
Reibman,
Reidenbach,
Renwick,
Rovaneck,
Royer,
Rubin,

Wall,
Walsh,
Welsh,
Weldner,
Wescott,
Whittaker,
Willard,
Willaredt,
Williams, A. D.,
Williams, E. S.,
Wood,
Worley,
Wynd,
Yetter,
Zember,
Zimmerman,
Andrews,
Speaker

NAYS—0

NOT VOTING—31

Arlene,	Guesman,	Lamb,	Murray,
Boles,	Haudenshield,	Leonard,	Perry,
Capitolo,	Hefner,	Lippincott,	Riley,
Cauley,	Jenkins,	Long, Wm. Jas.,	Slack,
Cianfrani,	Johnson, A. W.,	Lutty,	Stimmel,
Ewing,	Kamyk,	Magee,	Strausser,
Fineman,	Kessler,	Mihm,	Wilt,
Gibb,	Klein,	Munley,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, that the clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 59.

An Act amending the act of November 21, 1959 (P. L. 1590) entitled "An act to provide temporary supplemental retirement benefits for certain annuitants of the State Employees' Retirement System creating a special fund in the custody of the State Treasurer imposing duties on the State Employees' Retirement Board and making an appropriation" extending the time for receipt of benefits and including disability annuitants and making an appropriation.

With the information that the Senate had passed the same with amendments in which the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The clerk will read the amendments.

The clerk read the amendments as follows:

Amend Title, next to last line on page 1, by inserting after the word "annuitants" the following "and making an appropriation"; page 2, Section 1, line 1, by striking out after the word and figure "Section 1," the word and figure "Section 1" and inserting in lieu thereof the words and figures "Sections 1 and 4"; line 6, by striking out after the word "appropriation" the word "is" and inserting in lieu thereof the word "are"; line 12, by striking out after the figures "30" the figures "1962" and inserting in lieu thereof the figures "1963"; line 15, by striking out after the word and figures "June 30" the figures "1962" and inserting in lieu thereof the figures "1963"; page 3, line 1, by striking out after the word and figures "June 30" the figures "1962" and inserting in lieu thereof the figures "1963"; line 4, by striking out at the beginning of the line the figures "1962" and inserting in lieu thereof

the figures "1963"; and by striking out line 15, as follows: "Section 2 Section 4 of the act is amended to read" and by inserting Section 2, as follows:

Section 2 This act shall take effect immediately.

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Cameron, Mr. Tompkins.

Mr. TOMPKINS. Mr. Speaker, it is my understanding that this bill applies to the same set of circumstances, but to a different class of retirees. Therefore, we concur and are willing to take the same roll call as on the last concurrence.

Mr. McCANN. Thank you, Mr. Speaker.

On the question recurring,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—156

Adams,	Fox,	Markley,	Rutherford,
Anderson, J. H.	Frascella,	Marsh,	Sakulsky,
Anderson, S. A.,	Fulmer,	Maxwell,	Scarcell,
Bachman,	Galley,	May,	Schaaf,
Backenstoe,	Gelfand,	McCandless,	Schuster,
Blair,	Gibbons,	McCann,	Seltzer,
Boles,	Goldstein, M. H.,	McDevitt,	Shelton,
Bonner,	Goodrich,	McDonald,	Sherman,
Bower,	Gramlich,	McKeever,	Shupnik,
Bowman,	Gremminger,	McLaughlin,	Simmons,
Branca,	Greenlee,	McNally,	Snare,
Breth,	Gross,	Merry,	Stank,
Buchanan,	Guthrie,	Miller,	Steckel,
Bush,	Hamilton,	Mills,	Stimmel,
Capano,	Hankins,	Monroe,	Stiteler,
Cioffi,	Heavey,	Morley,	Stone,
Clarke,	Helm,	Mullen,	Sullivan, J. A.,
Comer,	Hocker,	Murphy,	Taylor,
Cooley,	Holl,	Needham,	Thompson,
Crossin,	Holman,	O'Donnell, J. A.,	Tomasck,
Curwood,	Irvis,	O'Donnell, J. P.,	Tompkins,
Davis,	Isaacs,	Odorizio,	Trusio,
Dangler,	Jim,	Ogilvie,	Ujbal,
Dennison,	Johnson, A. W.,	Parlante,	Varner,
Donaldson,	Johnson, R. P.,	Pashley,	Verona,
Dougherty,	Jones,	Petrosky,	Walsh,
Doughten,	Kelser,	Piper,	Wargo,
Down,	Kernaghan,	Polaski,	Welsh,
Edwards,	Kistler,	Polen,	Wescott,
Elvey,	Kornick,	Prendergast,	Whittaker,
Ehback,	Korns,	Price,	Willard,
Eshleman,	Kramer,	Pursley,	Williams, A. D.,
Esler,	Lawson,	Reibman,	Williams, E. S.,
Farabaugh,	Lee, A. M.,	Reidenbach,	Wood,
Fetterolf,	Lee, K. B.,	Renwick,	Worley,
Filo,	Limper,	Rovansek,	Wynd,
Flynn,	Lippincott,	Royer,	Yetter,
Foerster,	Long, Wm. Jos.,	Rubin,	Zember,
Foor,	Manbeck,	Rudisill,	Andrews,

Speaker

NAYS—0

NOT VOTING—54

Arlene,	Goldstein, J. H.,	Klein,	Murray,
Ashton,	Gray,	Knecht,	Musto,
Auker,	Guesman,	Kooker,	O'Dell,
Bossert,	Hartley,	Lamb,	Perry,
Capitolo,	Haudenshield,	Leonard,	Riley,
Caulley,	Heffner,	Long, Wm. Jas.,	Slack,
Cianfrani,	Henzel,	Lutty,	Strausser,
Ellberg,	Holliday,	Magee,	Sullivan, T. F.,
Ewing,	Horst,	McCormack,	Wall,
Fineman,	Jenkins,	McInroy,	Weidner,
Fry,	Kamyk,	Meholchick,	Willaredt,
Gallagher,	Kelly,	Mihm,	Wilt,
George,	Kessler,	Munley,	Zimmerman,
Gibb,	King,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, that the clerk inform the Senate accordingly.

Mr. McCANN. Mr. Speaker, may I wish everyone a happy and safe fourth of July week end.

ANNOUNCEMENT OF CAUCUS

Mr. A. W. JOHNSON. Mr. Speaker, may I inform all of the members on the Republican side that we will caucus at 1 o'clock as usual on Monday, July 10.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. WARGO asked and obtained permission for the Committee on Labor Relations to meet during the session of the House.

BILLS RE-REFERRED

Mr. WARGO from the Committee on Labor Relations, returned with the recommendation that it be re-referred to the Committee on Workmen's Compensation, House bill No. 1751, entitled:

An Act amending the "Unemployment Compensation Law," approved December 5, 1936 (1937 P. L. 2897), providing that persons laid off prior to a labor dispute shall not be denied compensation.

The SPEAKER pro tempore. The bill is re-referred to the Committee on Workmen's Compensation.

Mr. WARGO from the Committee on Labor Relations, returned with the recommendation that it be re-referred to the Committee on Workmen's Compensation, House bill No. 1752, entitled:

An Act amending the "Unemployment Compensation Law," approved December 5, 1936 (P. L. 2897), providing for payments notwithstanding certain appeals and providing that payments paid shall not be charged against an employer's account if the decision allowing such payments is later reversed.

The SPEAKER pro tempore. The bill is re-referred to the Committee on Workmen's Compensation.

Mr. WARGO from the Committee on Labor Relations, returned with the recommendation that it be re-referred to the Committee on Workmen's Compensation, House bill No. 1753, entitled:

An Act amending the "Unemployment Compensation Law," approved December 5, 1936 (P. L. 2897), increasing certain payments.

The SPEAKER pro tempore. The bill is re-referred to the Committee on Workmen's Compensation.

Mr. WARGO from the Committee on Labor Relations, returned with the recommendation that it be re-referred to the Committee on Workmen's Compensation, House bill No. 1754, entitled:

An Act amending the "Unemployment Compensation Law," approved December 5, 1936 (1937 P. L. 2897), bringing hospital employees within the provisions of the act.

The SPEAKER pro tempore. The bill is re-referred to the Committee on Workmen's Compensation.

Mr. WARGO from the Committee on Labor Relations,

returned with the recommendation that it be re-referred to the Committee on Workmen's Compensation, House bill No. 1756, entitled:

An Act amending the "Unemployment Compensation Law," approved December 5, 1936 (P. L. 2897), providing benefits after a three week waiting period for employees involved in a stoppage of work because of a labor dispute.

The SPEAKER pro tempore. The bill is re-referred to the Committee on Workmen's Compensation.

Mr. WARGO from the Committee on Labor Relations, returned with the recommendation that it be re-referred to the Committee on Workmen's Compensation, House bill No. 1757, entitled:

An Act amending the "Unemployment Compensation Law," approved December 5, 1936 (P. L. 2897), providing that vacation pay, separation allowances and similar payments shall not be considered remuneration for the purpose of defining "unemployed."

The SPEAKER pro tempore. The bill is re-referred to the Committee on Workmen's Compensation.

Mr. WARGO from the Committee on Labor Relations, returned with the recommendation that it be re-referred to the Committee on Workmen's Compensation, House bill No. 1758, entitled:

An Act amending "The Pennsylvania Workmen's Compensation Act," approved June 2, 1915 (P. L. 736), changing compensation payable in certain instances.

The SPEAKER pro tempore. The bill is re-referred to the Committee on Workmen's Compensation.

Mr. WARGO from the Committee on Labor Relations, returned with the recommendation that it be re-referred to the Committee on Workmen's Compensation, House bill No. 1759, entitled:

An Act amending the "Unemployment Compensation Law," approved December 5, 1936 (1937 P. L. 2897), providing for the inclusion of additional employees and the method of making payments into the fund.

The SPEAKER pro tempore. The bill is re-referred to the Committee on Workmen's Compensation.

Mr. WARGO from the Committee on Labor Relations, returned with the recommendation that it be re-referred to the Committee on Workmen's Compensation, House bill No. 1760, entitled:

An Act amending "The Pennsylvania Occupational Disease Act," approved June 21, 1939 (P. L. 566), increasing the rate of compensation.

The SPEAKER pro tempore. The bill is re-referred to the Committee on Workmen's Compensation.

Mr. WARGO from the Committee on Labor Relations, returned with the recommendation that it be re-referred to the Committee on Workmen's Compensation, House bill No. 1818, entitled:

An Act amending the "Unemployment Compensation Law," approved December 5, 1936 (1937, P. L. 2897), modifying certain provisions as to eligibility of individuals while in training or when permanently separated or when separated from a family enterprise.

The SPEAKER pro tempore. The bill is re-referred to the Committee on Workmen's Compensation.

TIME EXTENDED ON BILLS

Mr. McCANN asked and obtained unanimous consent to extend the time five days on House bill No. 769, printer's No. 842, on page 10 of today's calendar, bills on final passage postponed.

Mr. McCANN asked and obtained unanimous consent to extend the time five days on House bill No. 1708, printer's No. 2154, on page 10 of today's calendar, bills on final passage postponed.

SENATE MESSAGE

AMENDED SENATE BILL NON-CONCURRED IN BY SENATE

The clerk of the Senate being introduced, informed that the Senate has non-concurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows:

SENATE BILL No. 65.

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code" making the sale of regrooved tires without notice thereof a crime.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its amendments non-concurred in by the Senate to Senate bill No. 65.

The motion was agreed to.

Ordered, that the clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED SENATE BILL NON-CONCURRED IN BY SENATE

The clerk of the Senate being introduced, informed that the Senate has non-concurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows:

SENATE BILL No. 99.

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" regulating the issuance of operators' licenses to persons between sixteen and eighteen years of age restricting their driving privileges and providing penalties.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its amendments non-concurred in by the Senate to Senate bill No. 99.

The motion was agreed to.

Ordered, that the clerk inform the Senate accordingly.

The SPEAKER pro tempore. The Chair would like to inform the majority leader at this time that the chief clerk has informed the Chair that Senate bill 201, printer's No. 893, is in the possession of the House and now on the table.

Mr. McCANN. Mr. Speaker, I would like to have the minority leader's attention.

Mr. Speaker, this is the bill, Senate bill 201, which I discussed before the full House. I would like the necessary motions to be made to bring the bill back so I can properly amend it on Monday, July 10.

The SPEAKER pro tempore. The Chair will put the motions if it is agreed to by the respective floor leaders.

Before putting the motion, the Chair would hope that

all the members and their friends have a safe and sane Fourth of July, together with our staff. We will return after a week's vacation completely refreshed.

RECONSIDERATION OF VOTE ON SENATE BILL NO. 201

Mr. McCANN. Mr. Speaker, I move that the vote by which Senate bill No. 201, printer's No. 893, entitled:

"An Act amending the act of June 24, 1937 (P. L. 2017), entitled 'County Institution District Law' further regulating the powers and duties of local authorities as to persons in foster homes and as to children and youth and further regulating payments for care."

passed finally on Wednesday, June 28, 1961, be reconsidered.

Mr. A. W. JOHNSON. Mr. Speaker, I second the motion.

The SPEAKER pro tempore. How did the gentleman from Green, Mr. McCann, vote on the final passage of this bill?

Mr. McCANN. Mr. Speaker, I voted with the prevailing side.

The SPEAKER pro tempore. How did the gentleman from McKean, Mr. Johnson vote on the final passage of this bill?

Mr. A. W. JOHNSON. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

BILL POSTPONED

Mr. McCANN. Mr. Speaker, I move that this bill be placed on the third reading postponed calendar.

The motion was agreed to.

BILL INTRODUCED AND REFERRED

- By Messrs. FULMER, WHITTAKER,
HAMILTON and STONE. HOUSE BILL No. 1823.

A Supplement to the act of April 1, 1863 (P. L. 213), entitled "An act to accept the grant of Public Lands by the United States to the several states for the endowment of Agricultural Colleges," making an appropriation for carrying the same into effect.

Referred to the Committee on Education.

BILLS AND RESOLUTIONS PASSED OVER

Mr. McCANN. Mr. Speaker, I request that all other bills and resolutions not acted upon on today's calendar be passed over.

The SPEAKER pro tempore. The Chair hears no objection.

ADJOURNMENT

Mr. ESHLEMAN. Mr. Speaker, I move that this House do now adjourn until Monday, July 10, 1961 at 2 p.m., e.s.t.

The motion was agreed to, and (at 4:21 p.m., e.s.t.) the House adjourned.

HOUSE SUPPLEMENT

STANDING COMMITTEES

AGRICULTURE AND DAIRY INDUSTRIES

Farabaugh, Chairman, Prendergast, Vice Chairman, Yetter, Secretary, Cooley, Gray, Hamilton, Kamyk, McNally, Musto, Perry, Reibman, Rubin, Wargo, Ashton, Fox, Korn, Manbeck, McCandless, Wescott, Worley.

APPROPRIATIONS

Polen, Chairman, Stank, Vice Chairman, Munley, Secretary, Boies, Eilberg, Gelfand, Hamilton, McCormack, Mihm, Mullen, Musto, Reidenbach, Wargo, Bower, Down, Hocker, Seltzer, Willaredt, Wilt, Wood.

BANKING AND BUILDING AND LOAN ASSOCIATIONS

Parlante, Chairman, Clarke, Vice Chairman, Comer, Secretary, Bachman, Curwood, Gelfand, Greenlee, Guesman, Luty, Mills, O'Donnell, J. A., Rubin, Sherman, Buchanan, Bush, Dengler, Goldstein, J. H., Gramlich, Keiser, Varner.

BOROUGHES

Filo, Chairman, Murphy, Vice Chairman, Klein, Secretary, Cooley, Farabaugh, Jenkins, Lawson, Long, Wm. James, Reibman, Sakulsky, Sullivan, J. A., Sullivan, T. F., Verona, Gross, Kernaghan, Kistler, Knecht, Kooker, Simmons, Zimmerman.

CITIES—COUNTIES, FIRST CLASS

Dougherty, Chairman, Mullen, Vice Chairman, Kelly, Secretary, Arlene, Branca, Comer, Doughten, Frascella, Limper, Parlante, Rubin, Shelton, Sullivan, J. A. Anderson, J. H., Davis, Holman, Lee, A. M., Pursley, Williams, A. D., Jr., Zember.

CITIES—COUNTIES, SECOND CLASS AND SECOND CLASS A

Luty, Chairman, Jenkins, Vice Chairman, Cauley, Secretary, Clarke, Foerster, Irvis, Kamyk, Lamb, Leonard, McLaughlin, Needham, Schuster, Walsh, Donaldson, Gibb, Goldstein, M. H., Haudenshield, Kessler, King, Thompson.

CITIES—THIRD CLASS

Walsh, Chairman, Sakulsky, Vice Chairman, Verona, Secretary, Boies, Cioffi, Gailey, Gremminger, McDevitt, McDonald, Polaski, Tomascik, Trusio, (one vacancy—Majority), Down, Magee, Marsh, Miller, Ogilvie, Rutherford, Slack.

CONGRESSIONAL APPORTIONMENT

Sherman, Chairman, Lamb, Vice Chairman, Fry, Secretary, Comer, Frascella, Greenlee, Gremminger, Limper, O'Donnell, J. P., Reidenbach, Rovasek, Rudisill, Trusio, Bower, Esler, Henzel, Holliday, Horst, Kernaghan, Weirner.

COUNTIES

Cioffi, Chairman, McDonald, Vice Chairman, McNally, Secretary, Farabaugh, Flynn, Foerster, Hankins, O'Donnell, J. A., Prendergast, Rovasek, Sakulsky, Scarcelli, (one vacancy—Majority), Eshleman, Gibbons, Holl, Holliday, McCandless, Pursley, Wynd.

EDUCATION

Reibman, Chairman, Anderson, S. A., Vice Chairman, Hamilton, Secretary, Capano, Eilberg, Fineman, Gailey, Irvis, Morley, Murray, Musto, Reidenbach, Sherman, Dengler, Eshleman, Fulmer, Goldstein, M. H., Helm, Henzel, Lee, A. M.

ELECTIONS

Eilberg, Chairman, Murray, Vice Chairman, Prendergast, Secretary, Capano, Gray, Klein, McDevitt, Monroe, Murphy, Pashley, Sullivan, J. A., Sullivan, T. F., Walsh, Bowman, Dengler, Dennison, Edwards, Varner, Wall, Zember.

FISHERIES

Jim, Chairman, Schaaf, Vice Chairman, Gremminger, Secretary, Curwood, Kelly, Long, Wm. James, Mehlochick, O'Donnell, J. A., Riley, Schuster, Shelton, Shupnik, Yetter, Edwards, Gramlich, Merry, O'Dell, Stimmel, Willard, Zimmerman.

GAME AND CONSERVATION

Curwood, Chairman, Renwick, Vice Chairman, Cooley, Secretary, Doughten, Fry, Guesman, Hartley, Jim, Long, Wm. Joseph, Mehlochick, Riley, Shupnik, Yetter, Auker, Goodrich, Lee, K. B., McInroy, Snare, Willard, Wynd.

HIGHWAYS

Comer, Chairman, Yetter, Vice Chairman, Cioffi, Secretary, Curwood, Filo, Fry, Greenlee, Heavey, Kornick, McNally, Munley, Stank, Stone, Walsh, Davis, Down, Eshleman, Fulmer, Lee, K. B., Merry, Strausser, Thompson.

INSURANCE

Hamilton, Chairman, Heavey, Vice Chairman, Guesman, Secretary, Crossin, Doughten, Gremminger, Hankins, Hartley, Kelly, Kornick, Prendergast, Sakulsky, Shelton, Foor, Horst, Odorisio, Pursley, Stimmel, Stiteler, Willaredt.

JUDICIARY

Rudisill, Chairman, McCormack, Vice Chairman, Gelfand, Secretary, Eilberg, Fineman, Gailey, Irvis, Lamb, Murphy, Reibman, Schaaf, Sherman, Stone, Auker, Bowman, Esler, Heffner, Isaacs, Magee, Steckel.

JUDICIARY—SPECIAL

Leonard, Chairman, Branca, Vice Chairman, Clarke, Secretary, Cauley, Gray, Kramer, Mills, Riley, Tomascik, Welsh, Backenstoe, Bower, Holman, Johnson, R. P., Worley.

LABOR RELATIONS

Wargo, Chairman, McKeever, Vice Chairman, Sullivan, T. F., Secretary, Bonner, Branca, Flynn, Hartley, Lawson, Leonard, McLaughlin, Polaski, Rovanseck, Welsh, Adams, Edwards, George, Holl, Gross, Marsh, Rutherford.

LAW AND ORDER

Welsh, Chairman, Gailey, Vice Chairman, Hankins, Secretary, Hartley, Jenkins, Kramer, Long, Wm. James, Mills, Monroe, Mullen, Munley, Murray, Scacelli, Foor, George, Gibb, Kessler, Knecht, Strausser, Ujobai.

LEGISLATIVE APPORTIONMENT

Kornick, Chairman, Gelfand, Vice Chairman, Crossin, Secretary, Arlene, Cioffi, Filo, Gallagher, McKeever, Morley, Needham, Parlante, Schaaf, Stone, Ashton, Blair, Goldstein, M. H., Weidner, Willaredt, Williams, A. D., Jr., Williams, E. S.

LIQUOR CONTROL

Reidenbach, Chairman, Scarcelli, Vice Chairman, Flynn, Secretary, Boies, Capitolo, Maxwell, Mills, Rubin, Schuster, Stank, Taylor, Trusio, Wargo, Anderson, J. H., Bosser, Elvey, Eshback, Manbeck, Piper, Steckel.

MILITARY AFFAIRS

Needham, Chairman, Arlene, Vice Chairman, Anderson, S. A., Secretary, Capitolo, Crossin, Kamyk, Limper, Long, Wm. Jos., McKeever, Mehlochick, Mihm, Scarcelli, Shupnik, Adams, George, May, Ogilvie, Price, Snare, Stiteler.

MINES AND MINERAL INDUSTRIES

Rovanseck, Chairman, Bonner, Vice Chairman, Murphy, Secretary, Crossin, Kornick, McDonald, Mehlochick, Needham, Stank, Verona, Buchanan, Dennison, Ewing, Knecht, Varner.

MOTOR VEHICLES

Limper, Chairman, McLaughlin, Vice Chairman, Cianfrani, Secretary, Bachman, Capitolo, Cauley, Filo, Frascella, Kelly, Lawson, McNally, Renwick, Taylor, Dennison, Ewing, Gibb, Guthrie, Lippincott, Markley, O'Dell.

MUNICIPAL CORPORATIONS

Polaski, Chairman, Gallagher, Vice Chairman, Capitolo, Secretary, Cauley, Cianfrani, Greelee, Hankins, Jim, Jones, Klein, Long, Wm. James, McDonald, Riley, Blair, Bowman, Bush, Fetterolf, Gibbons, Isaacs, May.

PROFESSIONAL LICENSURE

Boies, Chairman, Pashley, Vice Chairman, Shupnik, Secretary, Clarke, Fineman, Jones, Klein, Maxwell, McCormack, O'Donnell, J. P., Parlante, Perry, Schaaf, Haudenshield, King, Kooker, Piper, Simmons, Slack, Whittaker.

PUBLIC HEALTH AND SANITATION

Maxwell, Chairman, Monroe, Vice Chairman, Jones, Secretary, Bachman, Gray, Lawson, O'Donnell, J. A., O'Donnell, J. P., Polen, Sullivan, T. F., Blackenstoe, Fox, Henzel, Kistler, Kooker.

PUBLIC UTILITIES AND CORPORATIONS

Mills, Chairman, Cianfrani, Vice Chairman, Kramer, Secretary, Gallagher, Hamilton, Heavey, Luty, Maxwell, Murray, O'Donnell, J. A., Pashley, Taylor, Tomascik, Bosser, Guthrie, Heffner, Magee, Steckel, Thompson, Wall.

RAILROADS AND RAILWAYS

Taylor, Chairman, Schuster, Vice Chairman, Gallagher, Secretary, Arlene, Boies, Guesman, Long, Wm. Joseph, McDevitt, Shelton, (one vacancy—Majority), Isaacs, McInroy, Miller, Wall, Worley.

RULES

McCann, Chairman, Andrews, Dougherty, Eilberg, Helm, Johnson, A. W., Kamyk, Musto, Petrosky, Tompkins.

STATE GOVERNMENT

Fineman, Chairman, Foerster, Vice Chairman, Pashley, Secretary, Anderson, S. A., Kramer, Luty, McCormack, Perry, Polaski, Polen, Reidenbach, Renwick, Rudisill, Donaldson, Price, Royer, Stimmel, Strausser, Williams, E. S., Wood.

TOWNSHIPS

Flynn, Chairman, Trusio, Vice Chairman, Farabaugh, Secretary, Bachman, Cooley, Fry, Jim, Jones, Kornick, Morley, Renwick, Rudisill, Verona, Eshback, Goodrich, Horst, Johnson, R. P., Korn, Odorisio, Wescott.

WAYS AND MEANS

Kamyk, Chairman, Frascella, Vice Chairman, McLaughlin, Secretary, Foerster, Heavey, Mihm, Morley, Munley, Musto, O'Donnell, J. P., Perry, Polen, Wargo, Ashton, Davis, Ewing, Guthrie, Ogilvie, Price, Royer.

WELFARE

Stone, Chairman, Munley, Vice Chairman, Bonner, Secretary, Anderson, S. A., Capano, Doughten, Kamyk, Lamb, Leonard, Long, Wm. Jos., Monroe, Mullen, Musto, Auker, Elvey, Markley, Miller, Ujobai, Weidner, Whittaker.

WORKMEN'S COMPENSATION

Capano, Chairman, Irvis, Vice Chairman, Sullivan, J. A., Secretary, Bonner, Branca, Cianfrani, Jenkins, Limper, McDevitt, McKeever, Rovanseck, Tomascik, Welsh, Blair, Buchanan, Goldstein, J. H., Keiser, McInroy, Wescott, Zember.

Legislative Journal.

Session 1961.

145th of the General Assembly.

Vol. 38.

HARRISBURG, PA., THURSDAY, JULY 6, 1961.

No. 71.

SENATE

THURSDAY, July 6, 1961.

The Senate met at 1:00 p. m., Eastern Standard Time.

The PRESIDING OFFICER (Joseph D. Ripp) in the Chair.

PRAYER

The Chaplain, Rev. LESTER C. UPDEGROVE, Pastor of Bethany Evangelical United Brethren Church, Palmyra, offered the following prayer:

Dear Lord and Father of all mankind, with grateful hearts we gladly acknowledge Thy favor unto our State and Nation. May we be worthy recipients of these many blessings as we dedicate ourselves anew to the unfinished tasks before us.

To this end, we beseech Thee in behalf of this legislative body of our beloved Commonwealth. Direct the efforts of every Member and cooperating personnel. Use their devotion and deeds for the furtherance of Thy purposes in the hearts and lives of young and old throughout our Commonwealth.

Grant that this Nation, under God, may be continually sensitive of our great need of Thee in all our ways. These petitions we ask in the name of Him who says: "I will never leave thee nor forsake thee. Lo, I am with you always, even unto the end of the age." Amen.

JOURNAL APPROVED

The PRESIDING OFFICER. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WEINER and Mr. DEVLIN, further reading was dispensed with, and the Journal was approved.

NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

MEMBER OF THE PENNSYLVANIA LABOR RELATIONS BOARD

July 6, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to

nominate for the advice and consent of the Senate John T. Haletsky, 121 Emerald Avenue, Pennside, Reading, Berks County, for reappointment as a member of the Pennsylvania Labor Relations Board, until June 2, 1967, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF NANTICOKE STATE HOSPITAL

July 6, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Anthony M. Zabiegalski, 700 South Hanover Street, Nanticoke, Luzerne County, for reappointment as a member of the Board of Trustees of Nanticoke State Hospital, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBERS OF THE CLINTON COUNTY BOARD OF ASSISTANCE

July 6, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Clinton County Board of Assistance:

William Edward Meyer (Democrat), Loganton, Clinton County, until December 31, 1963, and until his successor is duly appointed and qualified, vice John F. Marshall, Lock Haven, whose term expired.

Wilbur L. Kephart (Democrat), 121 South Summit Street, Lock Haven, Clinton County, until December 31, 1961, and until his successor is duly appointed and qualified, vice Dr. Charles E. Cox, Lock Haven, deceased.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

July 6, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Maurice D. Smith, 105 North Broad Street, Ridgway, Elk County, for appointment as Justice of the Peace in and for the Borough of Ridgway, Elk County, to serve until the first Monday of January 1962, vice John E. Minish, deceased.

DAVID L. LAWRENCE.

HOUSE MESSAGES

HOUSE INSISTS UPON ITS AMENDMENTS NON-
CONCURRED IN BY THE SENATE TO SB 65

The Clerk of the House of Representatives being in-

troduced, presented communication informing the Senate that the House insists upon its amendments nonconcurrent in by the Senate to **SB 65**.

SENATE INSISTS UPON ITS NONCONCURRENCE IN AMENDMENTS MADE BY THE HOUSE TO SB 65

Mr. WEINER. Mr. President, I move that the Senate insist upon its nonconcurrence in the amendments made by the House to Senate Bill No. 65, and that a Committee of Conference on the part of the Senate be appointed.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY SENATE TO SB 99

He also presented communication informing the Senate that the House insists upon its amendments nonconcurrent in by the Senate to **SB 99**.

SENATE INSISTS UPON ITS NONCONCURRENCE IN AMENDMENTS MADE BY THE HOUSE TO SB 99

Mr. WEINER. Mr. President, I move that the Senate insist upon its nonconcurrence in the amendments made by the House to Senate Bill No. 99, and that a Committee of Conference on the part of the Senate be appointed.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE NONCONCURS IN SENATE AMENDMENTS TO HOUSE BILL

He also informed the Senate that the House has nonconcurrent in amendments made by the Senate to **HB 254**.

SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HB 254

Mr. WEINER. Mr. President, I move that the Senate insists upon its amendments nonconcurrent in by the House to the foregoing bill, and that a Committee of Conference on the part of the Senate be appointed.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE NONCONCURS IN SENATE AMENDMENTS TO HOUSE BILL

He also informed the Senate that the House has nonconcurrent in amendments made by the Senate to **SB 255**.

SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HB 255

Mr. WEINER. Mr. President, I move that the Senate insists upon its amendments nonconcurrent in by the House to the foregoing bill, and that a Committee of Conference on the part of the Senate be appointed.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

AMENDMENTS TO HOUSE BILL, RECALLED FROM THE GOVERNOR

He also presented for concurrence, **HB 1186**, said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill, as amended, will be placed on the Calendar.

HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HB 678

He also informed the Senate that the House has adopted Report of Committee of Conference on **HB 678**, which was placed on the Calendar.

SENATE BILLS RETURNED WITH AMENDMENTS

He also returned to the Senate, **SB 88, 114 and 125**, with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

THE PRESIDING OFFICER. The bills, as amended, will be placed on the Calendar.

HOUSE CONCURS IN SENATE BILLS

He also returned to the Senate, **SB 133, 182, 183, 186, 522 and 570**, with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTIONS, SERIAL Nos. 111 and 122

He also informed the Senate that the House has concurred in resolutions from the Senate, entitled:

Directing the Joint State Government Commission to Make a Study of the Laws Relating to Mechanics' Liens

Directing the Joint State Government Commission to Investigate the Revision, Modernization and Codification of the Agriculture Laws

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence **HB 131, 1463 and 1793**, which were referred to the Committee on Local Government.

He also presented for concurrence **HB 260, 1484, 1609, 1746 and 1781**, which were referred to the Committee on Judiciary General.

He also presented for concurrence **HB 459**, which was referred to the Committee on Elections.

He also presented for concurrence **HB 1206, 1207, 1494, 1495 and 1668**, which were referred to the Committee on State Government.

He also presented for concurrence **HB 1234, 1440 and 1683**, which were referred to the Committee on Labor and Industry.

He also presented for concurrence **HB 1307, 1595 and 1596**, which were referred to the Committee on Public Health and Welfare.

He also presented for concurrence **HB 1404**, which was referred to the Committee on Education.

He also presented for concurrence **HB 1631 and 1794**, which were referred to the Committee on Highways.

He also presented for concurrence **HB 1727**, which was referred to the Committee on Banking.

HOUSE CONCURRENT RESOLUTION REFERRED TO COMMITTEE

He also presented for concurrence House Concurrent Resolution **No. 74**, which was referred to the Committee on Historical Preservation.

HOUSE INSISTS UPON ITS NONCONCURRENCE IN AMENDMENTS TO **HB 715**, AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists upon its nonconcurrence in Senate amendments to **HB 715**, and has appointed Messrs. POLEN, HAMILTON and BOWER as a Committee of Conference to confer with a similar committee of the Senate (already appointed) to consider the differences existing between the two houses in relation to said bill.

HOUSE INSISTS UPON ITS NONCONCURRENCE IN AMENDMENTS TO **HB 716**, AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists upon its nonconcurrence in Senate amendments to **HB 716**, and has appointed Messrs. POLEN, HAMILTON and BOWER as a Committee of Conference to confer with a similar committee of the Senate (already appointed) to consider the differences existing between the two houses in relation to said bill.

HOUSE INSISTS UPON ITS NONCONCURRENCE IN AMENDMENTS TO **HB 869**, AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists upon its nonconcurrence in Senate amendments to **HB 869**, and has appointed Messrs. STONE, FINEMAN and Mrs. Markley as a Committee of Conference to confer with a similar committee of the Senate (already appointed) to consider the differences existing between the two Houses in relation to said bill.

HOUSE CONCURS IN SENATE AMENDMENTS TO HOUSE BILLS

He also informed the Senate that the House has concurred in amendments made by the Senate to **HB 58, 59, 410, 428, 530, 980 and 1169**.

STATEMENT BY THE CHAIR

The PRESIDING OFFICER. The Chair notices quite a few people standing in the rear aisle of the Senate. If there is a seat available, please take a seat. We must maintain order in the Senate.

Also, as I look forward, I see a Great Dane dog. This is still the Senate Body and we must have order. I would suggest that in order to maintain proper decorum in the Senate, the dog be removed from the Chamber and kept in the outer corridor. We are doing this more or less as a precautionary measure and, therefore, so as not to create any incident in the Senate, the owner of the Great Dane dog is requested to remove the animal. We are all lovers of dogs, but we must maintain the proper respect and decorum in this Body.

Mr. WEINER. Mr. President, the animal you just referred to is an identifiable lobbyist who is here in the interest of his own bill. He is the only lobbyist who, I am sure, is here and who has not made a sound so far, nor has he importuned anyone. I think he is maintaining decorum and order at the moment. I do not know how his bill is going to fare, but I think that is the purpose for which he is here.

The PRESIDING OFFICER. In order not to go too far afield, although the Great Dane dog has been removed from the Senate, I see another dog in the rear of the Chamber. Maybe there are two dogs with us today.

Ladies and gentlemen who are in the audience, we must proceed with our business. As I stated before, it is merely a matter of precaution, so as not to create incidents in the Senate, that I ask you to kindly remove the animals to the outer corridor. Will the Sergeant-at-Arms please act accordingly?

The Chair continues to notice quite a few guests standing in the rear of the Senate. There are a number of seats in the balcony. We will be here for another few hours and, therefore, those who desire to partake of our proceedings will kindly ascend to the balcony where you will find seats.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. DEVLIN, from the committee on Executive Nominations, reported the following nominations, made by his Excellency, the Governor, which were laid on the table:

MEMBERS OF THE BOARD OF TRUSTEES OF EDINBORO STATE COLLEGE

June 13, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Edinboro State College, until the third Tuesday of January 1967, and until their successors shall have been appointed and qualified:

Mrs. Susan McComb, Stoneboro, Mercer County.
Max P. Gabreski, Grandview Road, R. D. 1, Oil City, Venango County.

DAVID L. LAWRENCE

MEMBER OF THE BOARD OF TRUSTEES OF CONNELLSVILLE STATE HOSPITAL

June 26, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John Donald Porter, 106 Jefferson Street, East Park, Conneltsville, Fayette County, for reappointment as a member of the Board of Trustees of Conneltsville State Hospital, until the third Tuesday of January 1967, and until his successor is appointed and qualified.

DAVID L. LAWRENCE

MEMBER OF THE BOARD OF TRUSTEES OF NANTICOKE STATE HOSPITAL

June 26, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to

nominate for the advice and consent of the Senate Frank T. Nork, 570 East Main Street, Nanticoke, Luzerne County, for reappointment as a member of the Board of Trustees of Nanticoke State Hospital, until the third Tuesday of January 1967, and until his successor is appointed and qualified.

DAVID L. LAWRENCE

MEMBERS OF THE BOARD OF TRUSTEES OF
SCRANTON STATE HOSPITAL

June 26, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Scranton State Hospital, until the third Tuesday of January 1967, and until their successors are appointed and qualified:

J. Clewell Ottinger, 735 Prescott Avenue, Scranton, Lackawanna County.

James Nocera, 131 Second Street, Old Forge, Lackawanna County.

DAVID L. LAWRENCE

MEMBERS OF THE BOARD OF TRUSTEES OF
WARREN STATE HOSPITAL

June 26, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Board of Trustees of Warren State Hospital, until the third Tuesday of January 1963, and until their successors are appointed and qualified:

Fred L. Rhoads, 404 South Second Street, Clearfield, Clearfield County, vice Chester S. Allen, Warren, resigned.

John Orrin Hanna, 239 Pennsylvania Avenue, West, Warren, Warren County, vice Merle H. Deardorff, Warren, whose term expired.

Mark Summerson, Pittsfield, Warren County, vice Andrew L. Clinger, Tidioute, whose term expired.

DAVID L. LAWRENCE

MEMBERS OF THE MUNICIPAL EMPLOYEES'
RETIREMENT BOARD

June 19, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Municipal Employees' Retirement Board:

William G. Willis (Public Representative, Institute of Local Government, University of Pittsburgh, 804 Harden Drive, Pittsburgh 29, Allegheny County, until his successor is appointed and qualified.

Charles R. Witmer (Municipal Employee), 146 Lawn Avenue, Sellersville, Bucks County, for the term of two years, and until his successor has been appointed and qualified, vice J. Lloyd Loushay, Athens, whose term expired.

Henry C. Lamparski (Municipal Employee), 1327 Pacific Avenue, Pittsburgh, Allegheny County, for the term of two years, and until his successor has been appointed and qualified, vice Andrew Garber, Wilkes-Barre, whose term expired.

DAVID L. LAWRENCE

MEMBER OF THE SUSQUEHANNA COUNTY BOARD
OF ASSISTANCE

June 26, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to

nominate for the advice and consent of the Senate James C. Gold (Democrat), 25 Lincoln Avenue, Montrose, Susquehanna County, for appointment as a member of the Susquehanna County Board of Assistance, until December 31, 1961, and until his successor is duly appointed and qualified, vice Mrs. Anne Bertholf, South Montrose, whose term expired.

DAVID L. LAWRENCE

JUSTICE OF THE PEACE

June 28, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John J. Senick, Freemansburg Road, Butztown, Northampton County, for appointment as Justice of the Peace in and for the Township of Bethlehem, Northampton County, to serve until the first Monday of January 1962, vice Joseph Senick, deceased.

DAVID L. LAWRENCE

MEMBER OF THE BOARD OF TRUSTEES OF
WERNERSVILLE STATE HOSPITAL

March 13, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Bertha M. Mish, R. D. 3, Myerstown, Lebanon County, for reappointment as a member of the Board of Trustees of Wernersville State Hospital, until the third Tuesday of January 1967, and until her successor is appointed and qualified.

DAVID L. LAWRENCE

MEETING OF COMMITTEE ON CONSTITU-
TIONAL CHANGES AND FEDERAL
RELATIONS

Mr. MAHADY. Mr. President, I now request a five minute recess for the purpose of holding a meeting of the Committee on Constitutional Changes and Federal Relations, to be held in Room 302.

The PRESIDING OFFICER. Are there any objections?

Mr. WEINER. Mr. President, I believe that while this committee is meeting, we can proceed with the regular order of business of Bills Introduced and Referred and Original Resolutions which are available at this time.

The PRESIDING OFFICER. There being no objection, the committee will hold its meeting for five minutes while the Senate proceeds with the regular order of business.

GUESTS OF SENATOR LEONARD C. STAISEY
PRESENTED TO SENATE

Mr. STAISEY. Mr. President, it is my distinct pleasure to introduce to my colleagues in the Senate representatives of Conservation and Sportsmen's Groups from all over Pennsylvania. These are the people whose fervor is only matched by their dedication to our Commonwealth and the welfare of its people.

I would appreciate the Chair and the Members of the Senate receiving these guests with applause.

The PRESIDING OFFICER. Will those people who represent the Conservation and Sportsmen's Groups please rise in order for the Senate to recognize them?

Thank you for being with us.

BILLS INTRODUCED AND REFERRED

Mr. PROPERT presented to the Chair **SB 831**, entitled:

An Act amending the act of May 21, 1931 (P. L. 149), entitled, as amended, "The Liquid Fuels Tax Act," providing for reimbursement of taxes paid on liquid fuels consumed in the operation of certain volunteer fire company equipment and vehicles.

Which was committed to the Committee on Finance.

He also presented to the Chair **SB 832**, entitled:

An Act amending the act of January 14, 1952 (P. L. 1965) entitled as amended, "Fuel Use Tax Act," excluding from the tax fuel used by or sold or delivered for use in certain volunteer fire company equipment and vehicles.

Which was committed to the Committee on Finance.

Mr. SCOTT presented to the Chair **SB 833**, entitled:

An Act amending the act of August 26, 1953 (P. L. 1476), entitled "An act to carry out the intent and purpose of Article XV, Section 1 and Article XIV, Section 8 of the Constitution of Pennsylvania, and to supplement the First Class City Home Rule Act, approved April twenty-one, one thousand nine hundred forty-nine (P. L. 665), . . ." removing the exclusion of the Sheriff, City Commissioners, Board of Revision of Taxes and Registration Commission from the provisions of section 2 and providing that such officers be included within the provisions of the said section so that the Council of the City of Philadelphia shall have full power to legislate with respect to the election, appointment, compensation, organization, abolition, merger, consolidation, powers, functions and duties of the Sheriff, City Commissioners, Board of Revision of Taxes, Registration Commission of the City of Philadelphia subject to approval of the electorate of the City of Philadelphia.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

Messrs. DEVLIN and WEINER presented to the Chair **SB 834**, entitled:

An Act clarifying the law regarding the imputation of knowledge or notice of a defect or danger from the employer to his employee in certain cases.

Which was committed to the Committee on Labor and Industry.

They also presented to the Chair **SB 835**, entitled:

An Act amending the act of June 2, 1915 (P. L. 736), entitled, as amended, "The Pennsylvania Workmen's Compensation Act," redefining the statutory employer-employee relationship in certain cases.

Which was committed to the Committee on Labor and Industry.

They also presented to the Chair **SB 836**, entitled:

An Act imposing absolute liability upon any person, firm or corporation which unlawfully maintains any scaffold, hoist, crane, stay, ladder, supports or other mechanical contrivance erected for use in erecting, repairing, altering, removing or painting any building within the Commonwealth; authorizing a civil action for injuries or loss of life resulting from failure to properly maintain any such apparatus, and imposing duties on the Department of Labor and Industry and certain local officials.

Which was committed to the Committee on Labor and Industry.

They also presented to the Chair **SB 837**, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," imposing civil liability upon the owners of a motor vehicle in certain cases.

Which was committed to the Committee on Highways.

Messrs. DEVLIN, WEINER and RIPP presented to the Chair **SB 838**, entitled:

An Act providing for the recovery of loss of consortium by a husband or wife.

Which was committed to the Committee on Judiciary General.

Messrs. DEVLIN and WEINER presented to the Chair **SB 839**, entitled:

An Act permitting certain actions to be brought in a county where a defendant can be served.

Which was committed to the Committee on Judiciary General.

Mr. DEVLIN, on behalf of Messrs. WEINER and RIPP, presented to the Chair **SB 840**, entitled:

An Act amending the act of June 12, 1951 (P. L. 533), entitled "The Mental Health Act of 1951," authorizing the transfer of certain prisoners confined in State Correctional Institutions to State Mental Hospitals without court approval, providing for retransfer, and imposing supplemental duties upon the Department of Public Welfare with reference to commitments and transfer of certain patients.

Which was committed to the Committee on Public Health and Welfare.

He also, on behalf of Messrs. WEINER and RIPP, presented to the Chair **SB 841**, entitled:

An Act amending the act of June 1, 1959 (P. L. 350), entitled "Public School Employees' Retirement Code of 1959," changing certain provisions to conform to the fiscal year and changing the provisions providing for the payment of administrative expenses.

Which was committed to the Committee on Education.

He also, on behalf of Messrs. WEINER and RIPP, presented to the Chair **SB 842**, entitled:

An Act amending the act of June 1, 1959 (P. L. 392), entitled "State Employees' Retirement Code of 1959," changing certain fiscal provisions to conform to the fiscal period and changing provisions providing for contributions and administrative expenses.

Which was committed to the Committee on State Government.

Messrs. DEVLIN and RIPP presented to the Chair **SB 843**, entitled:

An Act amending the act of April 18, 1949 (P. L. 512), entitled "Fiduciaries Act of 1949," increasing the amount of a minor's estate which may be received, held or disposed of without the appointment of a guardian or the entry of security.

Which was committed to the Committee on Judiciary General.

RESOLUTION REPORTED FROM COMMITTEE

Mr. MAHADY, by unanimous consent, from the Committee on Constitutional Changes and Federal Relations,

reported with amendment, House Concurrent Resolution No. 62, entitled:

Congress Memorialized to Adopt the Equal Rights for Women Amendment

The PRESIDING OFFICER. The resolution will be placed on the Calendar.

COMMITTEE OF CONFERENCE APPOINTED ON SB 65

The PRESIDING OFFICER. The Chair announces, on behalf of the President pro tempore, the appointment of Messrs. ROONEY, LANE and EHRGOOD as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (if the House shall appoint such committee) to consider the differences existing between the two houses in relation to Senate Bill No. 65.

Ordered, That the Clerk inform the House of Representatives accordingly.

COMMITTEE OF CONFERENCE APPOINTED ON SB 99

The PRESIDING OFFICER. The Chair announces, on behalf of the President pro tempore, the appointment of Messrs. LANE, ROONEY and VAN SANT as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (if the House shall appoint such committee) to consider the differences existing between the two houses in relation to Senate Bill No. 99.

Ordered, That the Clerk inform the House of Representatives accordingly.

COMMITTEE OF CONFERENCE APPOINTED ON HB 254

The PRESIDING OFFICER. The Chair also announces, on behalf of the President pro tempore, the appointment of Messrs. MAHADY, MURRAY and HAWBAKER as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (if the House shall appoint such committee) to consider the differences existing between the two houses in relation to House Bill No. 254.

Ordered, That the Clerk inform the House of Representatives accordingly.

COMMITTEE OF CONFERENCE APPOINTED ON HB 255

The PRESIDING OFFICER. The Chair further announces, on behalf of the President pro tempore, the appointment of Messrs. MAHADY, MURRAY and HAWBAKER as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (if the House shall appoint such committee) to consider the differences existing between the two houses in relation to House Bill No. 255.

Ordered, That the Clerk inform the House of Representatives accordingly.

PERMISSION TO ADDRESS SENATE

Mr. STIEFEL asked and obtained unanimous consent to address the Senate.

Mr. STIEFEL. Mr. President, I am about to offer a

resolution, on behalf of Senator Hays, Senator Chapman and myself.

This resolution, indirectly, is a tribute to Pennsylvania State University. In order to save time and not impose upon the Clerk to read the resolution, I will state the gist of it and then ask for its unanimous adoption.

All of us who visit Pennsylvania State University and come upon the "Old Main" are impressed by the immortal frescoes of the great American artist, Henry Varnum Poor. These frescoes now come to the fore in connection with the centennial of the land-grant colleges. Pennsylvania is blessed with several centennials.

In order to give due recognition to this centennial of the land-grant colleges, this resolution suggests that those magnificent murals, which each of us has seen when we visited Pennsylvania State University, should be printed in the forthcoming edition of The Pennsylvania Manual.

Therefore, Mr. President, I am submitting this resolution and requesting the Senate to direct the editors of The Pennsylvania Manual to insert, in the forthcoming issue for 1961, reproductions, with proper explanations, of these magnificent pieces of art.

I ask for the immediate adoption of this resolution.

SENATE RESOLUTIONS

REQUESTING THAT A NEW SECTION, ENTITLED "PENNSYLVANIA'S CENTENNIALS," BE INSERTED IN THE NEXT PENNSYLVANIA MANUAL

Messrs. STIEFEL, HAYS and CHAPMAN offered the following resolution (Serial No. 78), which was read as follows:

In the Senate, July 6, 1961.

It is indeed symbolic of Pennsylvania's genius and its resultant leadership, in the very vanguard of the progress of our Nation, that in the year 1863, while on one side serving as the "Arsenal of the Union" in contributing to the crushing defeat of the Confederacy at Gettysburg on July 1, 2, 3, 1863, the Commonwealth of Pennsylvania at the same time did not neglect its contributions to the agricultural and industrial growth of the Nation. Thus, in 1863, the General Assembly of Pennsylvania designated the Farmers' High School of Pennsylvania as the land-grant institution of the Commonwealth, thereby establishing one of the first Schools of Agriculture and Industrial Arts in America. The Farmers' High School was destined to become the Pennsylvania State University, which was housed in its early days in a single building, "Old Main," built of limestone quarried from the front campus.

The lobby of the "Old Main" was chosen as the site of what was to become one of the most significant works of art in America; a mural by Henry Varnum Poor, symbolically depicting the founding, aspirations and the labors, as well as the people of a great university—the Land-Grant University of the Commonwealth of Pennsylvania.

Poor, one of the Nation's leading artists, started work on the monumental mural of the North Wall in April 1940, painting in fresco, a technique which consists of applying water-mixed pigments to freshly troweled plaster so that the pigments are absorbed and become a part of the wall as the plaster dries.

Growth is the main theme of the North Wall fresco. Although the artist intended the North Wall fresco to be complete in itself, nevertheless he envisaged it as the focal picture of a series. He deliberately used the columns at either side of the staircase as a frame for the central and most important part of the work.

In 1862, Abraham Lincoln signed into law the Morrill Land-Grant Act, which provided for the establishment of institutions of higher learning where "the leading object shall be, without excluding other scientific and classical

studies and including military tactics, to teach such branches of learning as are related to agriculture and the mechanic arts."

In the foreground of the center section, Abraham Lincoln hands a young tree, the symbol of growth, to a student. Both Lincoln and the student are depicted on a heroic scale. Poor said: "I want Lincoln to be a symbol of hope and faith and more than just a part of the design because of his historic signing of the Morrill Act. I want his face and figure to express also doubt and tragedy, and (I want) the full fruit of what he hoped to be expressed in the figure of the young student."

In the background, the original "Old Main," still under construction, can be seen. Immediately to the left of the central group, two students examine a plot of winter rye, while several others stand in contemplation behind them. A young man on horseback says farewell to his family before leaving for school; two younger boys wrestle in the foreground. In the old man standing over the wrestlers, the artist foresaw himself at the age of seventy. In the distance, agricultural students work in the fields against a background of rich farmlands and rolling hills.

To the right of Lincoln, students are gathered around a table with Dr. Evan Pugh, the first President of the University. At his feet, a mineralogy student examines a specimen from an outcrop of coal. Directly behind this group, three students in military uniform reflect the provision of the Morrill Act concerning military training. In the distance at a forge, students fashion the parts of an early machine. The background, extending to the long mountain ridges in the far distances, depicts the mining and industrial regions of Pennsylvania.

At the extreme right, student engineers on a scaffold study a blueprint. An old workman, standing before a partially completed bridge, rounds out the design by directing the eye back toward the center of the fresco.

As the Pennsylvania State University lies in the heart of the Commonwealth, leaving each year an everlasting imprint upon thousands of young Americans who drink from the pellucid waters of its learning, the Poor frescoes should be of incalculable inspiration to all Pennsylvanians, especially as we are about to celebrate along with the Centennial of the Civil War, and Pennsylvania's contributions to the victory of the Union, also the equally-significant Centennial of the Pennsylvania State University.

The "Pennsylvania Manual" is a veritable depository of important information pertaining to Pennsylvania and its great institutions. It becomes a sine qua non Vade Mecum for a student interested in the various phases of Pennsylvania's history, culture and civilization.

It is self-evident that the inclusion of a new section in the forthcoming editions of the "Pennsylvania Manual" in 1961, 1963, and 1965, entitled "Pennsylvania's Centennials," would be conducive to enhancing the cultural, spiritual and patriotic background of our citizenry.

Be it therefore resolved, That the Senate of the General Assembly of Pennsylvania directs the editors of the "Pennsylvania Manual" that a new section be initiated in the "Pennsylvania Manual," as aforesaid, entitled "Pennsylvania's Centennials" which should include inter alia reproductions of the Poor frescoes in the "Old Main" at Pennsylvania State University, as well as ample explanatory notes describing the gist of same.

Mr. BERGER. Mr. President, I believe that the purpose of this resolution is salutary. However, there may be many other things that ought to be printed and reproduced in the Manual.

Therefore, I would suggest that the resolution be sent to the proper committee.

The PRESIDING OFFICER. In view of the objection by Senator Berger, the resolution will be referred to the Committee on State Government.

CONGRATULATIONS OF THE SENATE TO THE CITY OF CORRY ON ITS CENTENNIAL CELEBRATION

Messrs. SESLER and SHAFER offered the following res-

olution (Serial No. 79), which was read, considered and adopted:

In the Senate, July 6, 1961.

WHEREAS, The City of Corry in the County of Erie shall, on Saturday, the 8th of July, 1961, commence a week-long celebration in commemoration of the one hundredth year of its founding; and

WHEREAS, Corry, nearest railhead to the Titusville oil region where Colonel Drake sunk the first commercial oil well in 1859, was the ideal location for the world's first commercial refinery; and

WHEREAS, The City of Corry is today a bustling industrial community set in the midst of a lush agricultural region well known for its fine potatoes and excellent maple syrup; and

WHEREAS, This city is a fine example of a wholesome and enlightened community; therefore, be it

RESOLVED, That the Senate of Pennsylvania, on behalf of the people of this Commonwealth, extend congratulations and greetings to the fine City of Corry on the occasion of its centennial celebration, and extend wishes for another century of progress and prosperity; and, be it further

RESOLVED, That a copy of this resolution be forwarded to the Mayor and members of city council of the City of Corry.

PERMISSION TO ADDRESS SENATE

Mr. LANE asked and obtained unanimous consent to address the Senate.

Mr. LANE. Mr. President, I am about to offer a congratulatory resolution, congratulating the President pro tempore of the Senate, our good friend, the Honorable Anthony J. DiSilvestro. I believe I have quite a number of names written on the resolution as endorsers. However, I am quite sure that every Member of this Senate will concur in the resolution I am now presenting to the Chair.

Mr. President, I request the immediate adoption of this resolution.

CONGRATULATIONS OF THE SENATE EXTENDED TO PRESIDENT PRO TEMPORE ANTHONY J. DISILVESTRO ON BEING CHOSEN SONS OF ITALY "MAN OF THE YEAR"

Messrs. LANE, SEYLER, PROPERT, SILVERT FLEMING, TAYLOR, BERGER, PECHAN, EHRGOOD, SCOTT, KROMER, WARE, CONFAIR, MADIGAN, SHAFER, MALLERY, KELLER, HAWBAKER, WAGNER, FLACK, STEVENSON, SARRAF, DEVLIN, STASEY, RIPP, McGINNIS, STROUP, CAMIEL, STIEFEL, WEINER, MURRAY, BELL, WADE and CHAPMAN offered the following resolution (Serial No. 80), which was read as follows:

In the Senate, July 6, 1961.

The Senate of the Commonwealth of Pennsylvania takes this method of congratulating our good friend and President pro tempore of this body, Anthony J. DiSilvestro, on the signal honor bestowed upon him by the Sons of Italy, on Sunday, June 25, 1961. Tony was presented with a gold medal as "The Man of the Year."

This award could not have gone to a better man, a truer friend or a more industrious and conscientious public servant; therefore be it

RESOLVED, That the Senate of the Commonwealth of Pennsylvania hereby congratulates President pro tempore Anthony J. DiSilvestro on his outstanding award which he received the past Sunday from the Sons of Italy; and be it further

RESOLVED, That a copy of this resolution be presented to Senator DiSilvestro.

On the question,

Will the Senate adopt the resolution?

Mr. BERGER. Mr. President, I know that Senator Lane asked for the immediate consideration and approval of this resolution, and I think I can speak on behalf of all of the Members on this side and say that we would like to second the motion.

The PRESIDING OFFICER. In view of that fact, the Chair will not ask if there are any objections.

And the question recurring,

Will the Senate adopt the resolution?

The resolution was adopted.

PERMISSION TO ADDRESS SENATE

Mr. DiSILVESTRO asked and obtained unanimous consent to address the Senate.

Mr. DiSILVESTRO. Mr. President, I wish to announce to my brother Senators that I am living the best years of my life.

PERMISSION TO ADDRESS SENATE

Mr. WEINER asked and obtained unanimous consent to address the Senate.

Mr. WEINER. Mr. President, if I might paraphrase the remarks of the President pro tempore, you might say that the President pro tempore of the Pennsylvania Senate never had it so good.

The PRESIDING OFFICER. He really found a home. That is rephrasing the paraphrase.

PERMISSION TO ADDRESS SENATE

Mr. BERGER asked and obtained unanimous consent to address the Senate.

Mr. BERGER. Mr. President, I heartily concur in the words of the Majority Leader. However, I must add that we did not plan it that way.

PERMISSION TO ADDRESS SENATE

Mr. TAYLOR asked and obtained unanimous consent to address the Senate.

Mr. TAYLOR. Mr. President, I do not often get up. However, Anthony, I hope you live to be eighty-five.

UNANIMOUS CONSENT GRANTED FOR IMMEDIATE CONSIDERATION OF CALENDAR

Mr. WEINER. Mr. President, I request unanimous consent that we now proceed to consideration of today's Calendar.

The PRESIDING OFFICER. There being no objection, we will proceed to the consideration of today's Calendar.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS, OVER IN ORDER

SB 94—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILLS ON CONCURRENCE IN HOUSE AMENDMENTS

SB 115 (Pr. No. 975)— Mr. WEINER.

Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 115.

Mr. LANE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitutions, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Probert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarraf,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Staisey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SB 439 (Pr. No. 922)—Mr. WEINER.

Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 439.

Mr. LANE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Probert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarraf,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Staisey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

FINAL PASSAGE CALENDAR

BILL OVER IN ORDER

HB 197—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILL ON FINAL PASSAGE DEFEATED

HB 227 (Pr. No. 2303)—And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. BERGER. Mr. President, I understand this bill would permit persons who are members of credit unions to assign as security, up to the sum of \$600, their interest in their retirement.

Mr. President, I do not believe it was ever the inten-

tion of the Legislature, in setting up retirement plans for State employees, to permit assignments of those interests prior to the employee's actual receipt of his retirement money. I do not believe, Mr. President, that this is in the best interest of those persons who are the beneficiaries of retirement funds. Therefore, I intend to oppose this bill.

Mr. WEINER. Mr. President, I would like to point out to the Members of the Senate that this bill is today the law. All we are doing in this measure is increasing the amount from \$300 to \$600.

I believe there has been a little bit of a change in the cost-of-living, the cost of operations, and so on and so forth, that would entitle these people to borrow more money or have more money or ask for a greater assignment. Credit unions are the one way that people of limited means can borrow money to take care of their needs at a minimal expense or minimal interest. Credit unions are set up by employees for the employees. That is the basic purpose of this.

I think this measure was up before the Senate once before and it was defeated. I think that was due to the fact that some of the people misunderstood some of the provisions of the bill.

I would respectfully ask that the Senators give consideration to this matter. It is helpful to the people who must resort to this means of obtaining money. It does not affect their retirement and it does not affect anything that they have. It merely allows them to assign this amount of money, due to the increased amount they might borrow to meet the ever-increasing cost-of-living and also the increases some of these people might have had in their expenses.

Mr. BERGER. Mr. President, I do not intend to belabor this matter in any way. The fact that they are now permitted to borrow \$300 against their retirement may or may not be good law. However, there is no reason that I can see why we should compound the error. While we agree thoroughly with the principle of the credit union, nevertheless the assignment of retirement interest is not, in my opinion, a proper matter of security for such loans.

Mr. MULLIN. Mr. President, we have allowed the credit unions to raise it to \$600. We also have increased the amount of loans in practically every other small lending institution in Pennsylvania. A credit union such as this is a nonprofit organization, and I think that we should not deprive the employees of the State from receiving the benefit of their own organization on a sum of money which is more in accord with present day conditions.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—23

Camiel,	Lane,	Murray,	Stalsey,
Devlin,	Mahady,	Rooney,	Stiefel,
DiSilvestro,	McCreesh,	Sarraf,	Weiner,
Haluska,	McGinnis,	Sesler,	Yatron,
Hays,	McMenamin,	Seyler,	Ripp,
Kalman,	Mullin,	Silvert,	Presiding Officer

NAYS—23

Bell,	Fleming,	Pechan,	Taylor,
Berger,	Hawbaker,	Propert,	Wade,
Chapman,	Keller,	Scott,	Wagner,
Confair,	Kromer,	Shafer,	Ware, III,

Ehrgood,
Flack,

Madigan,
Mallery,

Stevenson,
Stroup,

Wolfe,

Less than a majority of all the Senators having voted "aye," the question was determined in the negative, and the bill was defeated.

BILLS OVER IN ORDER

SB 493 and **687**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

HB 1082—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

THIRD READING CALENDAR

BILLS OVER IN ORDER

HB 67—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

HB 95 and **HB 155**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

BILL ON THIRD READING, DEFEATED ON FINAL PASSAGE

SB 261 (Pr. No. 948)—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. SEYLER. Mr. President, I would like to call to the attention of the sponsors of this bill something which I just noted.

On page 2, as part of the title, the pertinent section relating to the amendments read as follows:

"... imposing permanent restrictions on the taxing authorities of political subdivisions affected by the provisions of the act . . ."

However, Mr. President, if you turn to the provisions of the Act, which are found on pages 3 and 4, and take from line 19, on page 3, to line 2, on page 4 of that section, you will read as follows:

"... and beginning with the year 1962 such tax rate increase shall not exceed five per centum per year for the next five succeeding years . . ."

I am calling to the attention of the sponsors the fact that there is an obvious conflict between the title of the bill and the provisions of the bill. In one case, according to the title, the restrictions involved in the bill are made permanent whereas, by the most recent amendment to the bill, as I have read it on pages 3 and 4, there is a limitation of five years. In view of that fact, it seems to me that the bill in its present form is not a feasible bill. Therefore, I would respectfully suggest to the sponsors that before proceeding to vote on this bill, we should put it into such form as is proper in order for us to vote on the merits of the bill.

For that reason, Mr. President, I would suggest that the bill go over in its order until such time as amendments may be made to bring these two points into alignment.

Mr. LANE. Mr. President, I object to the bill going over in order. Of course, I also noticed the conflict in the title. In the event that this legislation passes, that can very easily be corrected under the Statutory Construction Act.

Mr. President and Members of the Senate, I did a lot of studying before I sponsored this legislation. Under the provisions of the Permanent Assessment Act of 1951, we were led to believe that this would be a permanent assessment system and would not be used to gouge the taxpayers of Pennsylvania. I have found that where this legislation has been placed into activity by the various counties, the mortality tables have risen considerably as far as the commissioners are concerned. I have also found, Mr. President, that there has been a considerable hodge-podge when it comes to the proper evaluation of real estate in counties of the fourth to the eighth classes.

I believe we will all agree that we operate under the premise here that a man's home is his castle and his land is his courtyard. He should be protected by a legislative body from being gouged by political subdivisions.

Under the present Act of Assembly, as written, Mr. President, it provides that no political subdivision can, for real estate purposes, have a budget in excess of five per cent over the preceding year when the Act was placed into effect. It also provides that there should be a budget of no more than 110 per cent of the prior year's budget, as far as school districts are concerned. That is the only protection for the taxpayers which is contained in this Act of Assembly. The result has been that certain political subdivisions have taken advantage of this legislation and I will explain this in the following way:

Once the properties are appraised by competent appraisers, I hope, the county commissioners, by resolution each year, set a ratio of the market value which was determined by the appraisers. In some cases, they use the term of maybe twenty, twenty-five, thirty or thirty-five per cent of the market value. That market value is applicable to every political subdivision within that county. It is applicable to every city and every school district within that county. Therefore, as a result, there is a latitude as far as millage is concerned.

For example, if the Permanent Assessment Act would triple the duplicate—when I speak of the duplicate, I am speaking of the duplicate which is issued by county governments—from about \$100,000 to \$300,000, you will note there that there is a \$300,000 evaluation. Therefore, the ultimate result is that the political subdivisions themselves have the advantage of adjusting their millage. They must adjust it downward the first year because their budget cannot exceed five per cent over the prior year. However, after that, they have a field day. Who suffers? The home owner is the man who suffers because he is stuck with a permanent assessment. That assessment, which the commissioners devise each year, is permanent. However, as I said before, they adjust the ratio of the actual value of the assessment. The result is that the political subdivisions can, if they so desire, keep a high millage, or continue increasing their millage with a high assessment and the result is that the taxpayer is the one who is punished.

I believe it was back in 1945 or 1947 that we passed the "tax everything" law; namely, Act No. 481. I also recall, Mr. President, that when we passed Act No. 481, we had political subdivisions and school districts which were taxing picket fences, if you please. You will recall that we had a case in the Supreme Court with reference to the coal which was taxed under our real estate. They were taxing coal not only as real estate, but they were taxing it under Act No. 481. That leads me to believe, Mr. Presi-

dent, that if we had to place restrictions on Act No. 481, we should also place restrictions on this legislation.

I feel the way the bill is written it is quite liberal. I do not believe it is going to put any political subdivision in any handcuffs at all. It is merely going to provide that the political subdivisions cannot take advantage of this bill and use it to gouge the taxpayers or the small home owners.

Therefore, Mr. President, I have provided in the amendment here, after the first year, as follows:

"Thereafter the total amount of the real estate taxes levied by any political subdivision including school districts shall not exceed one hundred and twenty per centum"—as a matter of fact, they are getting a one-fifth increase in that case—"of the total amount it levied on such properties the year preceding the establishment of the new assessment system notwithstanding the increased valuations of such properties under the new assessment system and beginning with the year 1962 such tax rate increase shall not exceed five per centum per year for the next five succeeding years . . ."

Therefore, the ultimate result is that they have a ten per cent increase the first year; they have a twenty per cent increase the third year; and then they have five years at five per cent. That then will be the ceiling. I believe any official of any political subdivision, if he is honest with himself, will agree with me that this is more than sufficient. It will give the taxpayers some confidence. The way it stands now, the field is wide open and after the first year, they can do as they see fit.

I realize that some will say that we are interfering with local government activities. I have heard that argument many, many times. However, just the same, we interfered with local government activities when we placed a ceiling under Act No. 481, and we had a difficult time in doing that. I know, in some cases, I opposed some of the ceilings, but I found that I was wrong and the opposition was right at that particular time. There is a protection there now for the taxpayers.

Therefore, Mr. President, I feel that we, as Members of a legislative body, have a responsibility here. This is not a political question. This is a question as to whether or not we feel it is proper to put a ceiling on the amount of taxes which can be levied by political subdivisions. I think this is very fair, and I ask the gentlemen on both sides of the aisle to support this legislation. I feel sure that it carries considerable merit. I also know, Mr. President, that the taxpayers of Pennsylvania will have a lot more confidence if we pass this legislation.

Mr. SEYLER. Mr. President, I regret that the sponsors do not feel inclined to consider my advice with respect to amending this bill to put it in proper form. I do not agree with the gentlemen who just spoke, in believing that the conflict between the title and the substance of the bill is of such minor consequence as he stated. I believe, to the contrary, that if the bill is passed in its present form, it will certainly be declared unconstitutional because of that conflict. For that reason alone, if for no other reason, I would be constrained to vote against this bill.

Now, Mr. President, I would like to speak briefly on the merits of the bill. During all the time since I have been in the Legislature, it seems to me that this is the most drastic attack upon the principle of home rule that I have ever observed. At the moment, I am not concerned with

the limit of the restriction. If the limit were fifty per cent or 100 per cent, as far as the principle is concerned, it seems to me it would still be a very bad piece of legislation.

The Commonwealth has its various types of municipalities and local governments. These governments are operated by men who are elected by the people of their respective communities. Presumably, they are a better judge of the needs of their communities and of the wishes of the people of their communities, as far as the amount to which they desire to tax themselves to provide those services, than we, sitting here in Harrisburg. All of these people are elected. Any school board, any borough council, any township commissioners or supervisors, or any city council, which goes beyond the desires of the people of the community, is certain to find that the people of the community will let them know very promptly that they have done so. They are closer to the people of those communities, Mr. President, than we sitting here in Harrisburg. If there is any merit at all in operating our local communities by local elected boards, then certainly we must leave these people the discretion to provide the services which the people of their communities need and want. If we continue the principle outlined in this bill of placing restrictions upon the powers of local, elective municipal bodies to provide those services, then we are striking a fundamental blow at the principle. We might as well start running everything from the Capitol and just abolish our local, community municipalities and school boards.

Therefore, Mr. President, I think this is a bad bill in principle. In practice, however, this is also a very bad bill. It is my conviction that if this bill is passed in its present form, the result would be to throw a large percentage of our school districts—which is just one type of local government covered in this bill—into the courts with their present and future budgets. In other words, there are many districts in this Commonwealth, anywhere from one-fifth to one-third of our school districts, which, if this bill would become law, would be forced to take their school budgets into the courts during the next year. I say this would be a calamity for the Commonwealth and it would be a blow at the provision of proper educational facilities.

Therefore, Mr. President, in view of the principle of this and in view of its practical workings, it seems to me that this is a very unwise piece of legislation and one which Members, who are interested in the relationship between local and State government continuing on its present healthy basis, should vote against.

Mr. LANE. Mr. President, I wish to advise the gentleman from York that the courts were mentioned in this bill prior to this amendment because there is a proviso in the bill that in the first year after the assessment system is installed, the local, political subdivisions have the right to go to the courts. If they can justify the increase in their budget from real estate taxes, the courts, of course, will use their discretion. That is answer number one.

Answer number two, Mr. President, is that most of you know—and I am quite sure that all of you know—that a few years ago, we passed legislation which would provide that the political subdivisions shall receive the sum of not less than \$30,000,000 per year for the maintenance and construction of their roads. That is an outright gift from the Liquid Fuels Tax Fund to the political subdivisions.

On top of that, we placed a ceiling in Act No. 481, which, it is agreed, is good legislation. There is no reason in the world why we should not place a ceiling on the levying of real estate taxes on properties.

Therefore, I feel this is good legislation. I have talked to quite a number of officials of political subdivisions who are very happy with this legislation because they can take the position that they cannot start a lot of new projects because the Legislature has placed a ceiling, and this is as far as they can go. That is going to be a protection for the councilmen, the township supervisors and the school directors because they can tell the public that the Legislature has passed a law and this is all of the money they can spend I think it is good legislation.

Mr. SEYLER. Mr. President, I presume to take the floor again only to answer a couple of points made by the gentleman from Washington.

In the first place, he mentioned the fact that substantial State-aid is given to local municipalities and school districts. Of course, this is true. However, I hope the gentleman also realizes that if you place a restriction on the power of those municipalities to raise money from local sources, your total effect is to drive them to Harrisburg more often to seek more money to supplement the money you no longer allow them to raise locally.

The second point I would like to make, in answer to the gentleman, relates to his statement that he has talked to a number of local officials who favor this bill. I would like to tell the gentleman that every State organization that is involved—and I am speaking of the organization of boroughs, of townships, of cities and of school directors—is one hundred per cent on record as being against this because those people are in a position to know the impact this would have upon their ability to maintain adequate local government for their people.

Now, Mr. President, I would like to yield to the gentleman from Centre, Senator Hays.

Mr. HAYS. Thank you, Senator Seyler.

Mr. President, I do not know whether or not this is a personal vendetta in which I may get hurt. However, since a week or more ago I had sort of promised the Senator from Washington that I would offer an amendment and have not offered it, I think I should say that upon looking over the bill, I felt a little like my mother used to when she was darning my socks and pants over for the tenth or twelfth time and she did not think they were worth mending. I came to the conclusion that this was not worth amending.

We think of this as a ceiling. Really, I want to point out that there are two ceilings involved in this bill. One is a very obvious ceiling; the ceiling on a budget of a local borough, township, county or school district. The other ceiling is not quite as obvious. This is a ceiling on the ambitions and hopes that people, through their elected officials, have for themselves and for their children. This, it seems to me, is the important ceiling that we should keep in mind.

It seems to me, as Senator Seyler has pointed out, that this is really a blow at local government, and one of the great strengths of American democracy is local government.

On the question of referring to the courts, I have in my hand the Centre County Legal Journal for June 28th. I would point out that about half of this Legal Journal is

made up of—for example, this is on the matter of the approval of an increase in the tax rate for the school district of the township of Ferguson, Centre County, Pennsylvania, in the Court of Common Pleas. The school district of the township of Ferguson, Centre County, and the taxpayers of said district, are asking for an increase in the millage on real estate in said school district for the 1961-1962 school year to twenty-six mills, which is eleven mills more than the amount allowed by the Act of May 21, 1943.

If this is going on in this year, 1961, think how our courts would be clogged in 1970 and 1980 and dates such as those. It seems to me, if we are to strengthen local government, we have to give local government officials something to get their teeth into. My colleagues in the Senate, I am sure, know there is nothing that makes you strive so much as voting for taxes. Therefore, it seems to me that this should remain the responsibility of locally elected government officials.

There are two ceilings involved here. One is the obvious tax ceiling and the other is a ceiling on the hopes and ambitions that people, through their elected officials, have for themselves and their children. Therefore, I urge you to vote "no" on this legislation.

Mr. SILVERT. Mr. President, as I was listening to the debate on this bill, it occurred to me that at the present time the Select Committees on Education, both in the House and in the Senate, are considering the report of the Governor's Committee on Education. I am sure every Member of this Senate has received a copy of this report. This report shows that for the past ten years, the expenses of the State Government for public education have risen on the ratio of three dollars to one dollar raised by local communities.

The report, after one year of study, recommends that in the future any additional costs for public education from this level on should be born equally by the Commonwealth and by the local municipality. If we are going to carry out the recommendations of the Governor's Committee on Education, and if we are going to follow out the principle that in the future any increase in the cost of public education shall be borne equally by the local communities and by the State, I certainly am not going to vote for a bill which would hamper a local community in determining just what taxes they need for education and for other purposes. I intend to vote against this bill.

Mr. LANE. Mr. President, in answer to several of the statements which were made, let me say this with reference to the organizations. I would say that it is true that the organizations—that is, the political subdivision organizations and probably the school directors organization—are opposed to this legislation. However, you Members of the Senate, who have been around here for a long time, know very well that you never found an organization that was out for anything more than an increase in the tax rate. They are never for a reduction and they are never for a ceiling.

With reference to another statement which was made here that we would be hamstringing political subdivisions, let me say that I have placed a hatch tentatively on top, but it is not nailed down tight because if any political subdivision wishes to increase their revenue over and above this ceiling, they have the right to go to court. I know the court will use its best discretion when it

comes to handing down a decision. If they are afraid to go to court and ask the court for an increase, there is something wrong.

I believe that the time has come when we must take a firm stand. I think this is good legislation. I hope the Members of the Senate on both sides will give me a lift and pass it.

And the question recurring,
shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—12

Berger, Camiel, DiSilvestro,	Haluska, Kalman, Lane,	McCreesh, McGinnis, McMenamin,	Murray, Sarraf, Stalsey,
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NAYS—35

Bell, Chapman, Confair, Devlin, Ehrgood, Flack, Fleming, Hawbaker, Hays,	Keller, Kromer, Madigan, Mahady, Mallery, Mullin, Pechan, Probert, Rooney,	Scott, Sesler, Seyler, Shafer, Silvert, Stevenson, Stiefel, Stroup, Taylor,	Van Sant, Wade, Wagner, Ware, III, Weiner, Wolfe, Yatron, Ripp, Presiding Officer
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Less than a majority of all the Senators having voted "aye," the question was determined in the negative, and the bill was defeated.

BILL OVER IN ORDER

SB 322—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILL ON THIRD READING, DEFEATED ON FINAL PASSAGE

SB 323 (Pr. No. 340)—Read at length the third time and agreed to,

On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—25

Camiel, Devlin, DiSilvestro, Ehrgood, Haluska, Hays, Kalman,	Lane, Mahady, McCreesh, McGinnis, McMenamin, Mullin,	Murray, Rooney, Sarraf, Scott, Sesler, Seyler,	Silvert, Stalsey, Stiefel, Weiner, Yatron, Ripp, Presiding Officer
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NAYS—22

Bell, Berger, Chapman, Confair, Flack, Fleming,	Hawbaker, Keller, Kromer, Madigan, Mallery, Pechan,	Probert, Shafer, Stevenson, Stroup, Taylor,	Van Sant, Wade, Wagner, Ware, III, Wolfe,
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Less than a majority of all the Senators having voted "aye," the question was determined in the negative, and the bill was defeated.

PARLIAMENTARY INQUIRY

Mr. SEYLER. Mr. President, I rise to a question of parliamentary inquiry.

The PRESIDING OFFICER. The gentleman from York, Mr. Seyler, will state it.

Mr. SEYLER. Mr. President, does this action by the Pennsylvania Senate reverse the recent decision of the United States Supreme Court?

The PRESIDING OFFICER. Senator Seyler, do you understand that the bill failed of passage?

Mr. BERGER. Mr. President, following along that line of thought, I might inquire whether the bill was intended to embellish the decision of the Supreme Court?

Mr. SILVERT. Mr. President, it looks like we reversed the decision of the Supreme Court by the vote here.

The PRESIDING OFFICER. The Supreme Court decision stands and this bill fails.

Mr. DEVLIN. Mr. President, I just want to point out that we did better percentage-wise than the Supreme Court did. We were twenty-five to twenty-two and they were five to four.

PERMISSION TO ADDRESS SENATE

Mr. HALUSKA asked and obtained unanimous consent to address the Senate.

Mr. HALUSKA. Mr. President, with reference to House Bill No. 1438 and House Bill No. 1221, which are in the Committee on Local Government, of which I am Chairman, I wish to announce that on Monday morning, at 10:00 a.m., there will be a public hearing held on these bills. If need be, the hearings will be held on Tuesday and Wednesday at the same hour. We do not want to delay action on these public hearings or cut anyone off.

However, I talked to all the Members of my Committee and we came to one agreement. We hope it will meet with the approval of those who may come to the hearings. The agreement is that we will have no demonstrations and we desire no large groups. We have other work to do. We have agreed that each group have five members: the proponents, the department heads and the opponents. If need be, either group may have an additional man. We certainly will give them the opportunity to be heard. However, we would like to thoroughly review this bill; its contents, its merits and its demerits, as quickly as possible.

Therefore, at 10:00 a.m., next Monday, the first public hearing will be held in the Democratic Caucus Room, on the first floor.

We shall first hear from the proponents of the bill, then from the department heads, and then from the opponents. I also want to inform the press, radio and television that they are welcome to appear either as reporters or as witnesses.

In order for no one to act under any misapprehension, there will be a bona fide court reporter at those hearings who will take down every word from every person. Every person who may be a witness must permit himself to be interrogated. Our Committee wishes to have all the information possible regarding these bills and their effect.

I repeat, Mr. President, that we want no demonstrations. We hope to have an orderly meeting and everyone will have the privilege and the opportunity to be heard.

INTERROGATION

Mr. PECHAN. Mr. President, I desire to interrogate the gentleman from Cambria, Senator Haluska.

The PRESIDING OFFICER. Will the gentleman from

Cambria, Mr. Haluska, permit himself to be interrogated?

Mr. HALUSKA. I certainly will, Mr. President.

Mr. PECHAN. Senator Haluska, I just want to make sure whether we are playing for keeps this time. Are you going to be there at 10:00 a.m. this coming Monday?

Mr. HALUSKA. I cannot speak for the Committee, but I will be there, God willing.

Mr. PECHAN. Thank you very much.

STATEMENT BY THE CHAIR

The PRESIDING OFFICER. For those in the audience who did not hear the remarks and who are interested in House bill No. 1438 and House bill No. 1221, I will repeat that there will be a meeting of the Local Government Committee, to be held at 10:00 a.m., Daylight Saving Time, on Monday, in the Democratic Caucus Room, which is on the first floor of this Capitol Building. There will be public hearings.

Each group—meaning the proponents, the opponents and the department heads—will be allowed five members to present their views. I believe that just about covers it.

POINT OF INFORMATION

Mr. BERGER. Mr. President, I rise to a point of information.

The PRESIDING OFFICER. The gentleman will state it.

Mr. BERGER. Mr. President, it was not definitely decided but—and there certainly was discussion in that direction last week—in order to permit the Select Committee on Education to work unhampered, it was possible that we might be in recess next week. I have not had a chance to confer on that subject since coming back this week. However, I would assume that whether or not that recess should take place, this Committee meeting and hearing will be held.

Am I correct, Mr. President?

Mr. WEINER. Mr. President, I can answer the gentleman by stating that from my source of information, these meetings will take place whether the Legislature is in Session or not.

I am informing the Members of the Legislature that our present plans are to meet on Monday, July 10; on Tuesday, July 11; on Wednesday, July 12; and possibly on Thursday, July 13.

The PRESIDING OFFICER. Does that answer your point of information, Senator Berger?

Mr. BERGER. Yes, Mr. President, unless something happens tomorrow.

THIRD READING CALENDAR

BILLS ON THIRD READING AND FINAL PASSAGE

SB 344 (Pr. No. 1012)—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—28

Berger,
Camel,

Hays,
Kalman,

McMenamin,
Mullin,

Seyler,
Silvert,

Devlin,	Lane,	Murray,	Stalsey,
DiSilvestro,	Mahady,	Pechan,	Stiefel,
Ehrgood,	Mallery,	Rooney,	Weiner,
Fleming,	McCreesh,	Sarra,	Yatron,
Haluska,	McGinnis,	Sesler,	Ripp,
			Presiding Officer

NAYS—19

Bell,	Keller,	Shafer,	Wade,
Chapman,	Kromer,	Stevenson,	Wagner,
Confair,	Madigan,	Stroup,	Ware, III,
Flack,	Propert,	Taylor,	Wolfe,
Hawbaker,	Scott,	Van Sant,	

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, that the clerk present said bill to the House of Representatives for concurrence.

SB 345 (Pr. No. 1013)—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—26

Berger,	Hays,	Murray,	Silvert,
Camiel,	Kalman,	Pechan,	Stalsey,
Devlin,	Lane,	Rooney,	Stiefel,
DiSilvestro,	McCreesh,	Sarra,	Weiner,
Ehrgood,	McGinnis,	Sesler,	Yatron,
Fleming,	McMenamin,	Seyler,	Ripp,
Haluska,	Mullin,		Presiding Officer

NAYS—21

Bell,	Kromer,	Scott,	Van Sant,
Chapman,	Madigan,	Shafer,	Wade,
Confair,	Mahady,	Stevenson,	Wagner,
Flack,	Mallery,	Stroup,	Ware, III,
Hawbaker,	Propert,	Taylor,	Wolfe,
Keller,			

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, that the clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

SB 351—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILL ON THIRD READING AMENDED

SB 610 (Pr. No. 698)—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. McMENAMIN, by unanimous consent, offered the following amendments:

Amend Sec. 1 (Sec. 211), page 2, line 6, by inserting a bracket before "last."

Amend Sec. 1 (Sec. 211), page 2, line 6, by striking out "two."

Amend Sec. 1 (Sec. 211), page 2, line 6, by inserting a bracket after "preceding."

Amend Sec. 1 (Sec. 211), page 2, line 6, by striking out the brackets before and after "census."

Amend Sec. 1 (Sec. 211), page 2, line 6, by striking out "censuses" and inserting: as herein-after provided.

Amend Sec. 1 (Sec. 211), page 2, line 9, by striking out the brackets before and after "census."

Amend Sec. 1 (Sec. 211), page 2, line 9, by striking out "two censuses."

Amend Sec. 1 (Sec. 211), page 2, line 11, by inserting after "or" where it appears the first time: whenever it shall appear by the last two preceding censuses

Amend Sec. 1 (Sec. 211), page 2, line 20, by striking out "changed" where it appears the second time and inserting: decreased

Amend Sec. 1 (Sec. 211), page 3, line 6, by striking out "or above the maximum figure."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. McMENAMIN.

BILL POSTPONED

SB 615 (Pr. No. 703)—Upon motion of Mr. WEINER, seconded by Mr. LANE, and agreed to, the bill was placed on the Third Reading Postponed Calendar.

BILLS OVER IN ORDER

SB 646, 688 and 690—Without objection, the bills were passed over in their order at the request of Mr. HAYS.

SB 704, 705, and 707—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

SB 776 and 790—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

SB 796—Without objection, the bill was passed over in its order at the request of Mr. LANE.

BILL ON THIRD READING AND FINAL PASSAGE

HB 880 (Pr. No. 2011)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarra,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

NAYS—0

A majority of all the Senator having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

HB 1139—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILL ON THIRD READING AMENDED

HB 1181 (Pr. No. 2343)—Read at length the third time,
On the question,
Will the Senate agree to the bill on third reading?
Mr. WAGNER, by unanimous consent, offered the fol-
lowing amendments:

- Amend Sec. 1, page 2, line 3, by striking out
“seven” and inserting: nine
- Amend Sec. 1, page 2, line 5, by striking out
“three” and inserting: four
- Amend Sec. 1, page 2, line 9, by striking out
“FIVE” and inserting: seven
- Amend Sec. 1, page 2, line 14, by striking out
“five” and inserting: seven

On the question,
Will the Senate agree to the amendments?
They were agreed to.
Without objection, the bill, as amended, was passed
over in its order at the request of Mr. WAGNER.

BILL OVER IN ORDER

HB 1241—Without objection, the bill was passed over
in its order at the request of Mr. WEINER.

BILL ON THIRD READING, DEFEATED ON
FINAL PASSAGE

HB 1353 (Pr. No. 1599)—Read at length the third time
and agreed to,
On the question,
Shall the bill pass finally?
(During the calling of the roll, the following occurred:)
Mr. SEYLER. Mr. President, I desire to be recorded
as voting “no” on this bill.
The PRESIDING OFFICER. The gentleman will be
so recorded.
Mr. DEVLIN. Mr. President, I desire to change my vote
from “aye” to “no.”
The PRESIDING OFFICER. The gentleman will be so
recorded.
The yeas and nays were taken agreeably to the pro-
visions of the Constitution, and were as follows, viz:

YEAS—17

Camiel,	McCreesh,	Murray,	Stalsey,
DiSilvestro,	McGinnis,	Rooney,	Stiefel,
Haluska,	McMenamin,	Sarra,	Yatron,
Lane,	Mullin,	Silvert,	Ripp,
Mahady,			Presiding Officer

NAYS—27

Bell,	Hawbaker,	Propert,	Van Sant,
Berger,	Hays,	Scott,	Wade,
Chapman,	Keller,	Seyler,	Wagner,
Confair,	Kromer,	Shafer,	Ware, III,
Devlin,	Madigan,	Stevenson,	Weiner,
Ehrgood,	Mallery,	Stroup,	Wolfe,
Flack,	Pechan,	Taylor,	

Less than a majority of all the Senators having voted
“aye,” the question was determined in the negative, and
the bill was defeated.

BILLS OVER IN ORDER

HB 1367 and 1451—Without objection, the bills were
passed over in their order at the request of Mr. BERGER.

BILL ON THIRD READING AND FINAL PASSAGE

HB 1504 (Pr. No. 1852)—Read at length the third time
and agreed to,
On the question,
Shall the bill pass finally?
The yeas and nays were taken agreeably to the pro-
visions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarra,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

NAYS—0

A majority of all the Senator having voted “aye,” the
question was determined in the affirmative.
Ordered, That the Clerk return said bill to the House
of Representatives with information that the Senate has
passed the same without amendments.

SECOND READING CALENDAR

BILLS OVER IN ORDER

SB 8 (Pr. No. 13), SB 23 (Pr. No. 154), HB 53 (Pr. No. 1017), SB 196 (Pr. No. 202), SB 198 (Pr. No. 204) and HB 257 (Pr. No. 1887)—Read at length the second time
and agreed to,
Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

SB 353—Without objection, the bill was passed over in
its order at the request of Mr. BERGER.

BILLS ON SECOND READING

HB 360 (Pr. No. 397) and HB 371 (Pr. No. 1743)—Read
at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

SB 375—Without objection, the bill was passed over in
its order at the request of Mr. WEINER.

BILL ON SECOND READING

HB 395 (Pr. No. 432)—Read at length the second time
and agreed to,
Ordered, To be transcribed for a third reading.

BILLS RECOMMITTED

SB 396 (Pr. No. 427)—Upon motion of Mr. WEINER,
seconded by Mr. LANE, and agreed to, the bill was
recommitted to the Committee on Education.
SB 418 (Pr. No. 450)—Upon motion of Mr. WEINER,
seconded by Mr. LANE, and agreed to, the bill was
recommitted to the Committee on Judiciary General.

BILL OVER IN ORDER

SB 473—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILL ON SECOND READING

SB 477 (Pr. No. 1002)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

SB 536 (Pr. No. 949)—Upon motion of Mr. WEINER, seconded by Mr. LANE, and agreed to, the bill was recommitted to the Committee on Labor and Industry.

BILLS OVER IN ORDER

HB 573—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

SB 598 and 603—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

SB 611 and 613—Without objection, the bills were passed over in their order at the request of Mr. HAYS.

BILL ON SECOND READING

SB 628 (Pr. No. 1014)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

SB 644 (Pr. No. 963)—The first, second, third and fourth sections were read and agreed to.

The fifth section was read.

On the question,

Will the Senate agree to the section?

Mr. MAHADY offered the following amendments:

Amend Sec. 5, page 10, lines 16 to 18, by striking out all of said lines, and inserting: "the following investments:

"(a) Bonds or other interest-bearing obligations of the United States or those for the payment of the principal and interest on which the faith and credit of the United States are pledged

"(a) Bonds or other interest-bearing obligations of the Commonwealth of Pennsylvania or any county city borough township incorporated town or school district thereof or an Authority which has been created as a body corporate and politic under any law of this Commonwealth

"(c) Shares of any building and loan or savings and loan association organized under the laws of this Commonwealth or of any Federal savings and loan association to the extent to which the withdrawal or repurchase value of such shares is insured by the Federal Savings and Loan Insurance Corporation pursuant to the provisions of the National Housing Act, its amendments and supplements heretofore or hereafter enacted

"(d) Bonds and notes of the Pennsylvania Housing Agency created by the act of December 3, 1959 (P L 1686) known as the 'Housing Agency Law'"

They were agreed to.

The second was agreed to as amended.

The sixth section was read.

On the question,

Will the Senate agree to the section?

Mr. MAHADY offered the following amendment:

Amend Sec. 6, page 13, lines 2 and 3, by striking out "but no such employees shall be permitted to vote or hold office."

It was agreed to.

The section was agreed to as amended.

The seventh, eighth, ninth, tenth and eleventh sections were read and agreed to.

The twelfth section was read.

On the question,

Will the Senate agree to the section?

Mr. MAHADY offered the following amendments:

Amend Sec. 12, page 18, line 18, by striking out "authorize" and inserting: "determine whether and to what extent"

Amend Sec. 12, page 18, line 19, by inserting after "thirty-first": "shall be paid"

They were agreed to.

The section was agreed to as amended.

The thirteenth, fourteenth, fifteenth, sixteenth, seventeenth, eighteenth, nineteenth, twentieth, twenty-first, twenty-second, twenty-third, twenty-fourth, twenty-fifth, twenty-sixth, twenty-seventh, twenty-eighth, twenty-ninth, thirtieth, thirty-first, thirty-second and thirty-third sections and title were read and agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. MAHADY.

BILLS ON SECOND READING

SB 662 (Pr. No. 764) and SB 672 (Pr. No. 950)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

SB 692 (Pr. No. 805)—Mr. WEINER. Mr. President, I move that Senate Bill No. 692, Printer's No. 805, be recommitted to the Committee on Labor and Industry.

Mr. BERGER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. MULLIN. Mr. President, I desire to be recorded at voting "no" on this motion.

Mr. SEYLER. Mr. President, I also wish to be recorded as voting "no" on this motion.

And the question recurring,

Will the Senate agree to the motion?

A voice vote having been taken, the question was determined in the affirmative and the bill was recommitted.

BILLS ON SECOND READING

SB 708 (Pr. No. 822), SB 715 (Pr. No. 951) and HB 735 (Pr. No. 2216)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

SB 741—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILL ON SECOND READING AMENDED

SB 747 (Pr. No. 1025)—The first section was read.

On the question,

Will the Senate agree to the section?

Messrs. YATRON and KROMER offered the following amendments:

Amend Sec. 1, page 5, line 13 by striking out "or condensation."

Amend Sec. 1, page 5, line 14 by striking out "eight-tenths" and inserting: nine-tenths

Amend Sec. 1, page 5, line 15 by striking out five-"tenths" and inserting: nine-tenths.

Amend Sec. 1, page 5, lines 15 to 17 by striking out "The sum of the per-" in line 15 and all of lines 16 and 17.

Amend Sec. 1, page 6, line 3 by striking out "Evaporated or condensed" and inserting: "Condensed"

Amend Sec. 1, page 6, line 6 by inserting after "solids": not fat

(17) "Evaporated skim milk" is skim milk from which a considerable portion of the water has been removed by evaporation and which contains not less than twenty per cent milk solids not fat

(18) "Sweetened condensed skim milk" is skim milk to which refined sucrose or a combination of refined sucrose and refined dextrose has been added and from which a considerable portion of the water is then removed by evaporation and which contains not less than twenty-four per cent total milk solids

Amend Sec. 1, page 6, line 7 by striking out "(17)" and inserting: (19)

Amend Sec. 1, page 6, line 9 by striking out "(18)" and inserting: (20)

Amend Sec. 1, page 6, line 11 by striking out "(19)" and inserting: (21)

They were agreed to.

The section was agreed to as amended.

The second, third and fourth sections were read and agreed to.

The fifth section was read.

On the question,

Will the Senate agree to the section.

Messrs. YATRON and KROMER offered the following amendment:

Amend Sec. 5, page 8, line 8 by inserting after "products": except chocolate milk

It was agreed to.

The section was agreed to as amended.

The sixth, seventh, eighth, ninth, tenth, eleventh and twelfth sections and title were read and agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. YATRON.

BILLS ON SECOND READING

HB 754 (Pr. No. 827) and HB 755 (Pr. No. 2167)—Read at length the second time and agreed to,

Ordered, to be transcribed for a third reading.

BILL OVER IN ORDER

SB 773—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILLS ON SECOND READING

SB 805 (Pr. No. 983) and SB 811 (Pr. No. 989)—Read at length the second time and agreed to,

Ordered, to be transcribed for a third reading.

BILL ON SECOND READING AMENDED

HB 853 (Pr. No. 2433)—The first section was read,

On the question,

Will the Senate agree to the section?

Mr. STEVENSON offered the following amendments:

Amend Section 1 (Section 703) page 2, line 12, by striking out the following words: but less than twenty thousand [and]

Amend Section 1 (Section 703) page 2, lines 13 and 14, by striking out the following words: in townships having a population of twenty thousand or more

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. STEVENSON.

BILL ON SECOND READING

HB 948 (Pr. No. 1049)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

HB 1025, 1075 and 1085—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

BILL ON SECOND READING AMENDED

HB 1098 (Pr. No. 1920)—The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WEINER offered the following amendments:

Amend Sec. 1 (Sec. 603), page 2, line 4, by striking out: "(A)".

Amend Sec. 1 (Sec. 603), page 5, lines 5 to 14, by striking out all of said lines.

They were agreed to.

The section was agreed to as amended.

The second and third sections and title were read and agreed to,

Without objection, the bill, as amended, was passed over in its order at the request of Mr. WEINER.

BILLS OVER IN ORDER

HB 1099 and 1101—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

HB 1105—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILL ON SECOND READING

HB 1140 (Pr. No. 2200)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

HB 1163, 1174, 1178 and 1190—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

BILL ON SECOND READING

HB 1394 (Pr. No. 1830)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

HB 1402 and 1414—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

BILLS ON SECOND READING

HB 1450 (Pr. No. 2376), HB 1452 (Pr. No. 2215), HB 1453 (Pr. No. 1761), HB 1454 (Pr. No. 1762), HB 1455 (Pr. No. 1763) and HB 1456 (Pr. No. 1764)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

HB 1496—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILLS ON SECOND READING

HB 1515 (Pr. No. 1868) and HB 1551 (Pr. No. 2172)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

HB 1769—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

REPORT FROM COMMITTEE

Mr. DEVLIN, by unanimous consent, from the Committee on Judiciary General, reported, as amended, **SB 730**.

BILL ON FIRST READING

Mr. WEINER. Mr. President, I move that the Senate do now proceed to the first reading of the bill just reported from committee for the first time at today's session.

Mr. DEVLIN. Mr. President, I second the motion.

The motion was agreed to.

The bill was as follows: **SB 730**.

And said bill having been read at length for the first time,

Ordered, To be laid aside for second reading.

REGULAR ORDER OF BUSINESS RESUMED

The PRESIDING OFFICER. Consideration of today's Calendar being completed, we will now revert to the regular order of business.

EXECUTIVE NOMINATIONS

EXECUTIVE SESSION

A motion was made by Mr. DEVLIN and Mr. McGINNIS,

That the Senate do now resolve itself into Executive Session for the purpose of considering certain nominations made by the Governor.

Which was agreed to.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. DEVLIN asked and obtained unanimous consent for immediate consideration of the nominations made by His Excellency, the Governor, and reported from committee at today's Session.

NOMINATIONS TAKEN FROM THE TABLE

Mr. DEVLIN. Mr. President, I call from the table for

consideration the nominations reported from committee today.

The PRESIDING OFFICER. The Clerk will read the nominations.

The nominations were read by the Clerk as follows:

MEMBERS OF THE BOARD OF TRUSTEES OF EDINBORO STATE COLLEGE

June 13, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Edinboro State College, until the third Tuesday of January 1967, and until their successors shall have been appointed and qualified:

Mrs. Susan McComb, Stoneboro, Mercer County.

Max P. Gabreski, Grandview Road, R. D. 1, Oil City, Venango County.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF CONNELLSVILLE STATE HOSPITAL

June 26, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John Donald Porter, 106 Jefferson Street, East Park, Conneltsville, Fayette County, for reappointment as a member of the Board of Trustees of Conneltsville State Hospital, until the third Tuesday of January 1967, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF NANTICOKE STATE HOSPITAL

June 26, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Frank T. Nork, 570 East Main Street, Nanticoke, Luzerne County, for reappointment as a member of the Board of Trustees of Nanticoke State Hospital, until the third Tuesday of January 1967, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF SCRANTON STATE HOSPITAL

June 26, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Scranton State Hospital, until the third Tuesday of January, 1967, and until their successors are appointed and qualified:

J. Clewell Ottinger, 735 Prescott Avenue, Scranton, Lackawanna County.

James Nocera, 131 Second Street, Old Forge, Lackawanna County.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF WARREN STATE HOSPITAL

June 26, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to

nominate for the advice and consent of the Senate the following for appointment as members of the Board of Trustees of Warren State Hospital, until the third Tuesday of January 1963, and until their successors are appointed and qualified:

Fred L. Rhoads, 404 South Second Street, Clearfield, Clearfield County, vice Chester S. Allen, Warren, resigned.

John Orrin Hanna, 239 Pennsylvania Avenue, West, Warren, Warren County, vice Merle H. Deardorff, Warren, whose term expired.

Mark Summerson, Pittsfield, Warren County, vice Andrew L. Clinger, Tidioute, whose term expired.

DAVID L. LAWRENCE.

MEMBERS OF THE MUNICIPAL EMPLOYEES' RETIREMENT BOARD

June 19, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Municipal Employees' Retirement Board:

William G. Willis (Public Representative), Institute of Local Government, University of Pittsburgh, 804 Harden Drive, Pittsburgh 29, Allegheny County, until his successor is appointed and qualified.

Charles R. Witmer (Municipal Employee), 146 Lawn Avenue, Sellersville, Bucks County, for the term of two years, and until his successor has been appointed and qualified, vice J. Lloyd Loushay, Athens, whose term expired.

Henry C. Lamparski (Municipal Employee), 1327 Pacific Avenue, Pittsburgh, Allegheny County, for the term of two years, and until his successor has been appointed and qualified, vice Andrew Garber, Wilkes-Barre, whose term expired.

DAVID L. LAWRENCE.

MEMBER OF THE SUSQUEHANNA COUNTY BOARD OF ASSISTANCE

June 26, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate James C. Gold (Democrat), 25 Lincoln Avenue, Montrose, Susquehanna County, for appointment as a member of the Susquehanna County Board of Assistance, until December 31, 1961, and until his successor is duly appointed and qualified, vice Mrs. Anne Bertholf, South Montrose, whose term expired.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

June 28, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John J. Senick, Freemansburg Road, Butztown, Northampton County, for appointment as Justice of the Peace in and for the Township of Bethlehem, Northampton County, to serve until the first Monday of January 1962, vice Joseph Senick, deceased.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF WERNERSVILLE STATE HOSPITAL

March 13, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to

nominate for the advice and consent of the Senate Mrs. Bertha M. Mish, R. D. 3, Meyerstown, Lebanon County, for reappointment as a member of the Board of Trustees of Wernersville State Hospital, until the third Tuesday of January 1967, and until her successor is appointed and qualified.

DAVID L. LAWRENCE.

On the question,

Will the Senate advise and consent to the nominations?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Probert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarraf,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silver,	Yatron,
Haluska,	McMenamin,	Stalsey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. DEVLIN. Mr. President, I move that the Executive Session do now rise.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

ANNOUNCEMENTS BY THE SECRETARY

The following announcements were read by the Secretary of the Senate:

COMMITTEE MEETINGS

FRIDAY, JULY 7, 1961

Eastern Daylight Saving Time	Committee	Room
9:30 A. M.	JOINT SELECT COMMITTEE ON EDUCATION	245
10:00 A. M.	HIGHWAYS	542
10:30 A. M.	PUBLIC HEALTH AND WELFARE	535
11:00 A. M.	AGRICULTURE	539

NOTICE

MONDAY, JULY 10, 1961.

The Committee on Local Government will hold a Public Hearing on Monday, July 10, 1961 at 10:00 a. m., Daylight Saving Time in the Democratic Caucus Room on House Bill 1221 and 1438.

ADJOURNMENT

Mr. WEINER. Mr. President, I move that the Senate do now adjourn until Friday, July 7, 1961, at 10:15 a.m., Eastern Standard Time.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:20 p.m., Eastern Standard Time.

Legislative Journal.

Session 1961.

145th of the General Assembly.

Vol. 38.

HARRISBURG, PA., FRIDAY, JULY 7, 1961.

No. 72.

SENATE

FRIDAY, JULY 7, 1961

The Senate met at 11:15 a.m., Eastern Standard Time.

The PRESIDING OFFICER (Wm. Vincent Mullin) in the Chair.

PRAYER

The Chaplain, Rev. LESTER C. UPDEGROVE, Pastor of Bethany Evangelical United Brethren Church, Palmyra, offered the following prayer:

Almighty God, whose all-searching eye is upon us, accept our sincere gratitude for Thy renewed mercies in our lives this day.

Be with our Legislators, blessed Lord, and in all their labors may there be unity, harmony and conformity to Thy precepts.

In the life of our Commonwealth, may all evil elements be subdued and the righteous agencies made to grow and prosper. May we know with emphasis that truth's errand cannot fail and that all good work is immortal. We offer our prayer in the name of Him who has assured us: "He that doeth the will of God abideth forever." Amen.

JOURNAL APPROVED

The PRESIDING OFFICER. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. LANE and Mr. RIPP, further reading was dispensed with, and the Journal was approved.

COMMUNICATION FROM THE GOVERNOR

APPROVAL OF SENATE BILL

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor, advising that the following Senate Bill had been approved and signed by the Governor: **SB 297.**

NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

MEMBERS OF THE REGISTRATION COMMISSION IN AND FOR THE CITY OF PHILADELPHIA

July 7, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Registration Commission in and for the City of Philadelphia, until January 6, 1965, or until their successors qualify:

Harvey N. Schmidt (Democrat), 4021 Spring Garden Street, Philadelphia, Philadelphia County, vice James C. Crumlish, Jr., resigned.

Leon Sacks (Democrat), Garden Court Apartments, Forty-seventh and Pine Streets, Philadelphia, Philadelphia County. (Reappointment)

Harold H. Salkind (Democrat), 1622 North Seventy-second Street, Philadelphia, Philadelphia County. (Reappointment)

Charles W. Sweeney (Republican), 2015 Spring Garden Street, Philadelphia, Philadelphia County. (Reappointment)

Robert S. Hamilton (Republican), 6321 Ridge Avenue, Roxborough, Philadelphia, Philadelphia County. (Reappointment)

DAVID L. LAWRENCE

MEMBER OF THE JUVENILE COURT JUDGES' COMMISSION

July 6, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Otto P. Robinson, Judge of the Court of Common Pleas of the Forty-fifth Judicial District, Scranton, Lackawanna County, for reappointment as a member of the Juvenile Court Judges' Commission, until June 7, 1964, and until his successor is appointed and qualified.

DAVID L. LAWRENCE

MEMBER OF THE BOARD OF TRUSTEES OF WARREN STATE HOSPITAL

July 6, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John H. Bailey, Jr., 362 Sherman Street, Meadville, Crawford County, for appointment as a member of the Board of Trustees of Warren State Hospital, until the third Tuesday of January 1965, and until his successor is appointed and qualified, vice Donald C. Smith, Warren, resigned.

DAVID L. LAWRENCE

MEMBER OF THE STATE BOARD OF
OPTOMETRICAL EXAMINERS

July 6, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Dr. Martin Krauss, 6328 Caton Street, Pittsburgh 17, Allegheny County, for appointment as a member of the State Board of Optometrical Examiners, for the term of four years, and until his successor shall have been appointed and qualified, vice Dr. William J. VanEssen, Pittsburgh, deceased.

DAVID L. LAWRENCE

MEMBERS OF THE BOARD OF TRUSTEES OF
NANTICOKE STATE HOSPITAL

July 6, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Board of Trustees of Nanticoke State Hospital, until the third Tuesday of January 1963, and until their successors are appointed and qualified:

Louis Potkonski, 289 East Ridge Street, Nanticoke, Luzerne County, vice Charles Adonizio, Wyoming, whose term expired.

Robert J. Barrett, 27 Washington Street, West Pittston, Pittston, Luzerne County. (Reappointment)

DAVID L. LAWRENCE

MEMBER OF THE STATE PLANNING BOARD

July 6, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate George J. Mead, 638 West Sixth Street, Erie, Erie County, for reappointment as a member of the State Planning Board, until December 13, 1964, and until his successor is appointed and has qualified.

DAVID L. LAWRENCE

ALDERMAN

July 6, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Ruth F. Geduldig, 9 Daniel Street, Uniontown, Fayette County, for appointment as Alderman in and for the First Ward of the City of Uniontown, Fayette County, to serve until the first Monday of January 1962, vice John S. Albright, Sr., deceased.

DAVID L. LAWRENCE

REPORTS FROM COMMITTEES

Mr. SESLER, from the Committee on Agriculture, reported, as committed, **HB 1294**.

Mr. RIPP, on behalf of Mr. MULLIN, from the committee on State Government, reported, as amended, **HB 1335**.

Mr. MCCREESH, from the Committee on Public Health and Welfare, reported, as committed, **HB 1172, 1307 and 1533**; as amended, **HB 1595**.

Mr. DEVLIN, from the Committee on Highways, reported, as committed, **HB 1023**.

UNANIMOUS CONSENT GRANTED FOR
IMMEDIATE CONSIDERATION OF CALENDAR

Mr. WEINER. Mr. President, I request unanimous consent that we proceed to consideration of today's Calendar.

The PRESIDING OFFICER. There being no objection, we will now proceed to the consideration of today's Calendar.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS,
RECALLED FROM THE GOVERNOR, OVER IN ORDER

HB 1186—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

SB 88 (Pr. No. 921)—Mr. WEINER. Mr. President, I move that the Senate do nonconcur in the amendments made by the House to Senate Bill No. 88, and that a Committee of Conference on the part of the Senate be appointed.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS,
OVER IN ORDER

SB 94—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILLS ON CONCURRENCE IN HOUSE AMENDMENTS

SB 114 (Pr. No. 894)—Mr. WEINER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 114.

Mr. LANE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows: viz:

YEAS—50

Bell,	Hays,	Murray,	Stevenson,
Berger,	Kalman,	Pechan,	Stiefel,
Camiel,	Keller,	Propert,	Stroup,
Chapman,	Kessler,	Ripp,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarrafi,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Mullin,
Hawbaker,	Miller,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SB 125 (Pr. No. 768)—Mr. WEINER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 125.

Mr. LANE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?
The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows: viz:

YEAS—50

Bell,	Hays,	Murray,	Stevenson,
Berger,	Kalman,	Pechan,	Stiefel,
Camel,	Keller,	Propert,	Stroup,
Chapman,	Kessler,	Ripp,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarraf,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Mullin,
Hawbaker,	Miller,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.
Ordered, That the Clerk inform the House of Representatives accordingly.

CONFERENCE COMMITTEE REPORT,
OVER IN ORDER

HB 678—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

FINAL PASSAGE CALENDAR

BILLS OVER IN ORDER

HB 197 and **SB 493**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.
SB 687 and **HB 1082**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

BILLS INTRODUCED AND REFERRED

Mr. SEYLER, by unanimous consent, presented to the Chair **SB 844**, entitled:

An Act providing for the regulation and supervision of voluntary non-profit health services corporations organized to provide medical, dental, hospital or related services to subscriber by the Insurance Department and defining the functions of said department with respect thereto; conferring authority on the Insurance Commissioner to regulate and supervise such corporations; conferring certain rights, powers, duties and immunities upon such corporations and their officers and members; prescribing the conditions on which such corporations may exercise their powers; exempting such corporations from taxation; providing penalties for the violation of and mandatory and injunctive relief for the enforcement of the provisions of this act.

Which was committed to the Committee on Public Health and Welfare.

Mr. SILVERT, by unanimous consent, presented to the Chair **SB 845**, entitled:

An Act providing that liability and casualty insurance policies sold in Pennsylvania shall contain certain provisions relating to cancellation of fully paid policies.

Which was committed to the Committee on Insurance.

THIRD READING CALENDAR

BILLS OVER IN ORDER

SB 8—Mr. MAHADY. Mr. President, I request that

Senate Bill No. 8 go over in its order as I have amendments to offer on Monday.

The PRESIDING OFFICER. There being no objection, the bill will go over in its order.

SB 23—Without objection, the bill was passed over in its order at the request of Mr. LANE.

HB 53—Mr. BERGER. Mr. President, I request that House Bill No. 53 go over in its order, in anticipation of someone having amendments to this bill.

The PRESIDING OFFICER. There being no objection, the bill will go over in its order.

HB 67—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

HB 95—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILL ON THIRD READING AND FINAL PASSAGE

HB 155 (Pr. No. 155)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—50

Bell,	Hays,	Murray,	Stevenson,
Berger,	Kalman,	Pechan,	Stiefel,
Camel,	Keller,	Propert,	Stroup,
Chapman,	Kessler,	Ripp,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarraf,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Mullin,
Hawbaker,	Miller,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING AMENDED

SB 196 (Pr. No. 202)—Read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. WEINER, by unanimous consent, offered the following amendment:

Amend Sec. 1 (Sec. 1166), page 3, line 8, by inserting after "leave": without pay

On the question,

Will the Senate agree to the amendment?

It was agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. WEINER.

BILLS OVER IN ORDER

SB 198—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

HB 257—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILL RECOMMITTED

SB. 322 (Pr. No. 339)—Mr. WEINER. Mr. President I move that Senate Bill No. 322 be recommitted to the Committee on Judiciary General.

Mr. LANE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. BERGER. Mr. President, on the motion, I stated when the bill was introduced and again when it was reported out that I had hoped there would be some substantial, clarifying amendments to it.

I have had a great deal of correspondence which was highly in favor of this proposed legislation. It is a very drastic piece of legislation, I admit, but properly administered I think would have some salutary effect upon the crimes which are sought to be controlled by it.

I also said that in connection with this bill there was another bill, amending the Barr-Walker Act, which would limit the right of parole to offenders who had been convicted and imprisoned for this crime. That bill, however, has not been reported from committee. I believe that the bills should travel together because they are very important to each other. Consequently, I am not opposing the motion to recommit. However, I do hope that in committee there will be some amendment suggested that will answer some of the objections which have been made to the bill and also, that we can consider the limitation of parole in this type of offense to the extent at least as provided for in the companion bill.

Mr. LANE. Mr. President, I am a co-sponsor of this bill, and I seconded the motion to recommit.

I must say that the bill has some merit. However, it is quite drastic. Therefore, I am seconding this motion.

I do believe, Mr. President, that this is a major problem in government, and we must do something as far as the Barr-Walker Act is concerned and also this particular piece of legislation. I believe that actually this is a task for the Joint State Government Commission. I believe the commission should study the ramifications of this particular problem and make a report to the Legislature so that we can proceed, because our one objective is to protect the people of the Commonwealth of Pennsylvania from crimes which might be committed at any time.

Although I reluctantly second this motion, I do feel that this bill is not the legislation to properly do the job.

Mr. WEINER. Mr. President, I can think of three important reasons why this legislation is bad. Also, I think it is rather cruel and unusual punishment which was not thought about by the people who brought this Country into being. Because of that, I think this is the wrong approach to the problem. The removal of organic organs does not get to the heart of the problem. The problem is one of the psyche, and I think that problem should be dealt with on the basis of an approach to the whole situation rather than on the basis of trying to remove any vital part of the body. This goes back to the days when they cut off a hand, an ear, or something of that nature of a person who was a pickpocket.

Mr. BERGER. Mr. President, I beg the indulgence of the Chair, if I may interrupt the gentleman.

I stated my reasons for not opposing the motion only. I may say that if there is going to be an exposition on cruel and unusual punishment and that sort of thing

regarding this bill, I might oppose the motion to recommit. I have not done it. However, if there is going to be a long record made of this type of thing, which in my opinion is out of order, then, Mr. President, I might take a different viewpoint.

The PRESIDING OFFICER. Senator Berger and Senator Weiner, a motion to recommit is not debatable. It has been moved and seconded that the bill be recommitted.

Mr. WEINER. Mr. President, I will subside in one moment. I do not think it is ever out of order to give your reasons why you want a bill to go back to committee for further study. However, this being the desire of the sponsor, I will subside.

And the question recurring,

Will the Senate agree to the motion?

The motion was agreed to and the bill was recommitted.

BILL OVER IN ORDER

SB 351—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILL ON THIRD READING AND FINAL PASSAGE

HB 360 (Pr. No. 397)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Bell,	Kalman,	Murray,	Silvert,
Berger,	Keller,	Pechan,	Staisey,
Camiel,	Kessler,	Proper,	Stiefel,
Confair,	Lane,	Ripp,	Taylor,
Devlin,	Madigan,	Rooney,	Van Sant,
DiSilvestro,	Mahady,	Sarrafi,	Ware, III,
Donolow,	McCreesh,	Scott,	Weiner,
Ehrgood,	McGinnis,	Sesler,	Yatron,
Haluska,	McMenamin,	Seyler,	Mullin,
Hays,	Miller,		Presiding Officer

NAYS—12

Chapman,	Hawbaker,	Shafer,	Wade,
Flack,	Kromer,	Stevenson,	Wagner,
Fleming,	Mallery,	Stroup,	Wolfe,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

PERMISSION TO ADDRESS SENATE

Mr. WEINER. asked and obtained unanimous consent to address the Senate.

Mr. WEINER. Mr. President, now that this bill has passed, I just want to make a slight observation for the record.

This bill brings the Pennsylvania Liquor Code into conformity with the United States Customs Act. If, for example, you take a trip outside of this Country, you are entitled, under the United States Customs Act, to bring back one gallon of untaxed liquor. When you get off the ship in New York, Philadelphia, or any place, and you put this into your automobile and take it somewhere else, you are violating the laws of the Commonwealth of Pennsyl-

vania because you do not have affixed thereto the tax stamp of the Pennsylvania Liquor Control Board. They can not only take the liquor from you, but they can take your automobile as well. This is the way the Act is set up.

All this bill does is bring into line with the Federal law. If you can demonstrate that you purchased this liquor in a foreign country, the bill specifically states that you are in conformity with the law and you can take the liquor to your home in your automobile or give it to a friend without running the risk of losing not only the liquor, but also your automobile. It is the general rule that you forfeit the vehicle in which the illegal liquor is carried when it is found.

THIRD READING CALENDAR

BILL ON THIRD READING, DEFEATED ON FINAL PASSAGE

HB 371 (Pr. No. 1743)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. SILVERT. Mr. President, I desire to be recorded as voting "aye."

The PRESIDING OFFICER. The gentleman will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—22

Camiel,	Mahady,	Rooney,	Staisey,
Devlin,	McCreesh,	Sarraf,	Stiefel,
DiSilvestro,	McGinnis,	Sesler,	Weiner,
Haluska,	McMenamin,	Seyler,	Yatron,
Kalman,	Murray,	Silvert,	Mullin,
Lane,	Ripp,		Presiding Officer

NAYS—24

Bell,	Fleming,	Pechan,	Taylor,
Berger,	Hawbaker,	Propert,	Van Sant,
Chapman,	Keller,	Scott,	Wade,
Confair,	Kromer,	Shafer,	Wagner,
Ehrgood,	Madigan,	Stevenson,	Ware, III,
Flack,	Mallery,	Stroup,	Wolfe,

Less than a majority of all the Senators having voted "aye," the question was determined in the negative, and the bill was defeated.

BILL ON THIRD READING AND FINAL PASSAGE

HB 395 (Pr. No. 432)—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bell,	Hays,	Miller,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Ripp,	Van Sant,
Devlin,	Lane,	Rooney,	Wade,
DiSilvestro,	Madigan,	Sarraf,	Wagner,
Donolow,	Mahady,	Scott,	Ware, III,
Ehrgood,	Mallery,	Sesler,	Weiner,

Flack,
Fleming,
Haluska,
Hawbaker,

McCreesh,
McGinnis,
McMenamin,

Shafer,
Silvert,
Staisey,

Wolfe,
Yatron,
Mullin,
Presiding Officer

NAYS—1

Seyler,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

BILLS OVER IN ORDER

SB 477 and 610—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

BILL ON THIRD READING AND FINAL PASSAGE

SB 628 (Pr. No. 1014)—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Murray,	Stevenson,
Berger,	Kalman,	Pechan,	Stiefel,
Camiel,	Keller,	Propert,	Stroup,
Chapman,	Kessler,	Ripp,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarraf,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Staisey,	Mullin,
Hawbaker,	Miller,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

SB 646—Without objection, the bill was passed over in its order at the request of Mr. SEYLER.

BILL ON THIRD READING AND FINAL PASSAGE

SB 662 (Pr. No. 764)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Murray,	Stevenson,
Berger,	Kalman,	Pechan,	Stiefel,
Camiel,	Keller,	Propert,	Stroup,
Chapman,	Kessler,	Ripp,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarraf,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,

Ehrgood, Flack, Fleming, Haluska, Hawbaker,	Mallery, McCreesh, McGinnis, McMenamin, Miller,	Seyler, Shafer, Silvert, Stalsey,	Weiner, Wolfe, Yatron, Mullin, Presiding Officer
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NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

SB 672—Without objection, the bill was passed over in its order at the request of Mr. LANE.

SB 688 and 690—Without objection, the bills were passed over in their order at the request of Mr. SEYLER.

SB 704, 705, 706 and 707—Mr. BERGER. Mr. President, I request that Senate Bill No. 704, Senate Bill No. 705, Senate Bill No. 706 and Senate Bill No. 707 go over in their order.

The PRESIDING OFFICER. Is there objection?

Mr. BERGER. Mr. President, the idea of Senate Bill No. 704 and the succeeding bills in the same category is all right. However, the amendments which have been placed in the bill do not go far enough in order to make the bill do what it was intended to do and yet eliminate the possibility that certain completely divergent types of businesses would not be hampered by the use of the words "hospital and sanitarium" and so forth.

Consequently, Mr. President, I would suggest that these bills go over in their order with the thought that they may be amended so that they might become more acceptable.

Therefore, I have requested that this bill go over in its order, and also Senate Bill No. 705, Senate Bill No. 706 and Senate Bill No. 707 on page 8 of the Calendar.

The PRESIDING OFFICER. There being no objection, the bills will go over in their order.

BILL ON THIRD READING AND FINAL PASSAGE

SB 708 (Pr. No. 822)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell, Berger, Camiel, Chapman, Confair, Devlin, DiSilvestro, Donolow, Ehrgood, Flack, Fleming, Haluska, Hawbaker,	Hays, Kalman, Keller, Kessler, Kromer, Lane, Madigan, Mahady, Mallery, McCreesh, McGinnis, McMenamin, Miller,	Murray, Pechan, Propert, Ripp, Rooney, Sarraf, Scott, Sesler, Seyler, Shafer, Silvert, Stalsey,	Stevenson, Stiefel, Stroup, Taylor, Van Sant, Wade, Wagner, Ware, III, Weiner, Wolfe, Yatron, Mullin, Presiding Officer
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NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING, DEFEATED ON FINAL PASSAGE

SB 715 (Pr. No. 951)—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—21

Camiel, Devlin, DiSilvestro, Haluska, Kalman, Lane,	Mahady, McCreesh, McGinnis, Murray, Ripp,	Rooney, Sarraf, Sesler, Seyler, Silvert,	Stalsey, Stiefel, Weiner, Yatron, Mullin, Presiding Officer
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NAYS—25

Bell, Berger, Chapman, Confair, Ehrgood, Flack, Fleming,	Hawbaker, Keller, Kromer, Madigan, Mallery, McMenamin,	Pechan, Propert, Scott, Shafer, Stevenson, Stroup,	Taylor, Van Sant, Wade, Wagner, Ware, III, Wolfe,
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Less than a majority of all the Senators having voted "aye," the question was determined in the negative, and the bill was defeated.

BILL ON THIRD READING AND FINAL PASSAGE

HB 735 (Pr. No. 2216)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell, Berger, Camiel, Chapman, Confair, Devlin, DiSilvestro, Donolow, Ehrgood, Flack, Fleming, Haluska, Hawbaker,	Hays, Kalman, Keller, Kessler, Kromer, Lane, Madigan, Mahady, Mallery, McCreesh, McGinnis, McMenamin, Miller,	Murray, Pechan, Propert, Ripp, Rooney, Sarraf, Scott, Sesler, Seyler, Shafer, Silvert, Stalsey,	Stevenson, Stiefel, Stroup, Taylor, Van Sant, Wade, Wagner, Ware, III, Weiner, Wolfe, Yatron, Mullin, Presiding Officer
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NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

HB 754 and 755—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

BILL ON THIRD READING AND FINAL PASSAGE

SB 776 (Pr. No. 930)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Murray,	Stevenson,
Berger,	Kalman,	Pechan,	Stiefel,
Camiel,	Keller,	Proper,	Stroup,*
Chapman,	Kessler,	Ripp,	Taylor,
Confair,	Kromer,	Van Sant,	Wade,
Devlin,	Lane,	Wagner,	Ware, III,
DiSilvestro,	Madigan,	Welner,	Wolfe,
Donolow,	Mahady,	Yatron,	Mullin,
Ehrgood,	Mallery,	Presiding Officer	
Flack,	McCreesh,		
Fleming,	McGinnis,		
Haluska,	McMenamin,		
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

SB 790—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

SB 796—Without objection, the bill was passed over in its order at the request of Mr. LANE.

BILL ON THIRD READING AND FINAL PASSAGE

SB 805 (Pr. No. 983)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

Mr. BELL. Mr. President, I rise to oppose the passage of this bill. We are setting up a board which is already set up, but we are giving it more power and more influence. This board is going to determine the claims of various people against the Commonwealth of Pennsylvania.

The reason that I am against this bill is that this board is composed of people from various professions and occupations. It is not a board composed of judges. However, this bill states that when an appeal is taken from this board to the Dauphin County Court, the judges of the Dauphin County Court will not have the opportunity to examine the appeal de novo. I believe that this tendency in this Commonwealth to deny appellants the right to appeal de novo is not in the best interests of justice.

I do not have full confidence in the decisions of boards and commissions. I like to have my constituents have their rights heard completely from the beginning in front of a court—a court of judges—and that is why I oppose this bill.

Mr. SILVERT. Mr. President, may we be at ease?

The PRESIDING OFFICER. The Senate will be at ease. (The Senate was at ease.)

And the question recurring,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. STIEFEL. Mr. President, I desire to be recorded as voting "aye."

The PRESIDING OFFICER. The gentleman will be so recorded.

visions of the Constitution, and were as follows, viz:

The yeas and nays were taken agreeably to the pro-

YEAS—29

Berger,	Mallery,	Rooney,	Stiefel,
Camiel,	McCreesh,	Sarraf,	Van Sant,
Devlin,	McGinnis,	Scott,	Wade,
DiSilvestro,	McMenamin,	Sesler,	Wagner,
Fleming,	Murray,	Seyler,	Welner,
Haluska,	Pechan,	Silvert,	Yatron,
Kalman,	Ripp,	Stalsey,	Mullin,
Lane,			Presiding Officer

NAYS—16

Bell,	Flack,	Madigan,	Stevenson,
Chapman,	Hawbaker,	Mahady,	Stroup,
Confair,	Keller,	Proper,	Ware, III,
Ehrgood,	Kromer,	Shafer,	Wolfe,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

SB 811—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILL ON THIRD READING AND FINAL PASSAGE

HB 948 (Pr. No. 1049)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Murray,	Stevenson,
Berger,	Kalman,	Pechan,	Stiefel,
Camiel,	Keller,	Proper,	Stroup,
Chapman,	Kessler,	Ripp,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
DiSilvestro,	Lane,	Sarraf,	Wade,
Donolow,	Madigan,	Scott,	Wagner,
Devlin,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Welner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Mullin,
Hawbaker,	Miller,		Presiding Officer

NAYS—0

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

HB 1139, 1140 and 1181—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

HB 1241—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

HB 1367—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILL ON THIRD READING AND FINAL PASSAGE

HB 1394 (Pr. No. 1830)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Murray,	Stevenson,
Berger,	Kalman,	Pechan,	Stiefel,
Camiel,	Keller,	Propert,	Stroup,
Chapman,	Kessler,	Ripp,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarra,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Mullin,	
Hawbaker,	Miller,	Stalsey,	Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING, DEFEATED ON FINAL PASSAGE

HB 1450 (Pr. No. 2376)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred):

Mr. STIEFEL. Mr. President, having voted under a misapprehension, I desire to change my vote from "aye" to "no."

The PRESIDING OFFICER. The gentleman will be so recorded.

Mr. McCREESH. Mr. President, I desire to be recorded as voting "no."

The PRESIDING OFFICER. The gentleman will be so recorded as voting "no."

The PRESIDING OFFICER. The gentleman will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—16

Camiel,	Kalman,	Murray,	Silvert,
Devlin,	Lane,	Ripp,	Stalsey,
DiSilvestro,	McGinnis,	Rooney,	Yatron,
Haluska,	McMenamin,	Sarra,	Mullin,
			Presiding Officer

NAYS—29

Bell,	Keller,	Propert,	Stroup,
Berger,	Kromer,	Scott,	Van Sant,
Chapman,	Madigan,	Sesler,	Wade,
Confair,	Mahady,	Seyler,	Wagner,
Ehrgood,	Mallery,	Shafer,	Ware, III,
Flack,	McCreesh,	Stevenson,	Weiner,
Fleming,	Pechan,	Stiefel,	Wolfe,
Hawbaker,			

Less than a majority of all the Senators having voted "aye," the question was determined in the negative, and the bill was defeated.

BILL ON THIRD READING AND FINAL PASSAGE

HB 1451 (Pr. No. 2171)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40

Berger,	Lane,	Ripp,	Stiefel,
Camiel,	Madigan,	Rooney,	Stroup,
Chapman,	Mahady,	Sarra,	Van Sant,
Devlin,	Mallery,	Scott,	Wade,
DiSilvestro,	McCreesh,	Sesler,	Wagner,
Ehrgood,	McGinnis,	Seyler,	Ware, III,
Fleming,	McMenamin,	Shafer,	Weiner,
Haluska,	Murray,	Silvert,	Wolfe,
Kalman,	Pechan,	Stalsey,	Yatron,
Keller,	Propert,	Stevenson,	Mullin,
			Presiding Officer

NAYS—4

Bell,	Flack,	Hawbaker,	Kromer,
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A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

HB 1452, 1453, 1454, 1455 and 1456—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

HB 1515 and 1551—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

BILL ON THIRD READING POSTPONED

SB 670 (Pr. No. 780)—Without objection, the bill was called up from the Postponed Calendar by Mr. LANE.

BILL ON THIRD READING AMENDED

SB 670 (Pr. No. 780)—Read at length the third time.

On the question,

Will the Senate agree to the bill on third reading?

Mr. LANE. Mr. President, I might advise the Senate that the amendments which I am about to offer have to do with the family court plan for Allegheny County. We have received information from the Board of Judges of that county that these amendments will put the bill in proper form whereby the Board of Judges will, in all probability, approve this type of legislation.

Mr. President, if the amendments are adopted, I will then move that Senate Bill No. 670, Printer's No. 780, as amended, be returned to the Third Reading Postponed Calendar.

Messrs. LANE and DEVLIN, by unanimous consent, offered the following amendments:

Amend Title, page 1, first line of Title, by striking out "family court division in the Court of Common Pleas" and inserting: Family Court

Amend Title, page 1, sixth line of Title, by striking out "branch".

Amend Title, page 1, next to last line of Title, by striking out "division".

Amend Title, page 1, last line of Title, by striking out "division".

Amend Sec. 2, page 2, line 3, by inserting after "Construction": and Severability

Amend Sec. 2, page 2, line 8, by inserting after "purposes": The provisions of this act are severable and if any of the provisions hereof are held to be unconstitutional such decision shall not be construed to impair any other provision of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

Amend Sec. 3, page 2, lines 9 to 15, by striking out "as Division of Court of Common" in line 9, all of lines 10 to 15 and inserting: There is hereby established the Family Court of Allegheny County which shall have integrated jurisdiction over causes and actions involving the family as set out in this act The family court shall be a court of record and shall have the powers of a court of equity for the adjustment of family problems such as the partition of property between husband and wife and the granting of injunctions to effect compliance with this act and the orders of the family court and the protection of the interests of the family The family court also shall have criminal jurisdiction where so provided by this act and shall provide for a jury trial in those cases where such is required by law and shall adopt rules of criminal procedure to govern such actions

Amend Sec. 4, page 3, lines 1 to 8 by striking out "At least three judges elected or appointed to the" in line 1, all of lines 2 to 8 and inserting: The family court shall consist of at least four judges three of whom shall be appointed by the Governor upon the effective date of this act and who shall serve until they or their successors are elected to such office at the next regular judicial election in Allegheny County The incumbent judge of the Juvenile Court of Allegheny County shall be a judge of the family court All family court judges shall be learned in the law and shall hold office for the period of ten years if they shall so long behave themselves well The judges of the family court, including the juvenile court judge shall comprise the Board of Judges of the Family Court and one of their number shall be designated by them as chief judge to serve for such term as the board by rule shall provide Judges of the family court shall receive the same compensation as that paid to the judges of the Court of Common Pleas of Allegheny County and the chief judge shall receive the same compensation as that paid to the President Judge of the Court of Common Pleas of Allegheny County

Amend Sec. 5, page 3, lines 11 and 12 by striking out both of said lines and inserting:

(1) Issue an annual report as to the operations and problems of the family court which report shall be made public and shall be delivered to the Commissioners of Allegheny County the Governor the General Assembly and any other government agencies requesting such report

Amend Sec. 5, page 3, line 15, by striking out "clerk" and inserting: masters and referees

Amend Sec. 6, page 4, line 5 by striking out "all rules" and inserting: and publish rules and

Amend Sec. 6, page 4, line 7 by inserting after "practice": for civil criminal and other cases within the jurisdiction of the family court

Amend Sec. 6, page 4, lines 9 and 10 by striking out "regarding the reports and other" in line 9, all of line 10 and inserting: and the use of investigations reports and other findings of the staff or consultants to the court provided all interested parties have due advance notice of all such findings and reports and upon request an opportunity to cross-examine the author thereof

Amend Sec. 6, page 4, lines 15 and 16 by striking out "President Judge of Common Pleas" and inserting: Commissioners of Allegheny County

Amend Sec. 6, page 4, lines 17 and 18 by striking out "an annual report of the work of the family court which report shall include relevant" and inserting: reports containing

Amend Sec. 6, page 4, line 19 by striking out "and services".

Amend Sec. 7, page 5, lines 1 to 3 by striking out "Clerk of the Court Court Personnel The chief judge" in line 1, all of line 2 and "as the chief judge shall direct The clerk" in line 3 and insert-

ing: Prothonotary Clerk Court Personnel The prothonotary of Allegheny County shall be the clerk of the family court and perform all the duties thereof At the place designated for the holding of said court there shall be established an office in charge of a clerk appointed by the prothonotary with the approval of the Board of Judges who shall have custody of the seal to be kept at such place as well as of the docket of the court and all papers pertaining to the business of the court at such place The board of judges

Amend Sec. 7, page 5, line 6 by striking out "clerk and" and inserting: judge to whom they are assigned if special assignment is made but otherwise under the supervision of the

Amend Sec. 8, page 5, line 10 by inserting after "sciences": or of equivalent experience

Amend Sec. 8, page 5, line 20 by inserting after "workers": social workers

Amend Sec. 8, page 6, lines 4 and 5 by striking out "President Judge of Common Pleas" and inserting: chief judge and board of judges

Amend Sec. 10, page 7, lines 12 to 15 by striking out all of lines 12 to 14 and "referees shall be allowed as provided by law" in line 15 and inserting: or otherwise may be appointed by the chief judge to conduct investigations and to hold hearings and to make recommendations and reports in any matters within the jurisdiction of the court where such is permitted by law Appeals from the findings and recommendations of the masters or referees and hearings de novo shall be allowed as provided by law or rule of court

Amend Sec. 10, page 7, line 16 by inserting after "judges": and may be assigned from the regular professional staff or specially appointed from outside the staff for a particular matter

Amend Sec. 11, page 7, line 17 by striking out "exclusive".

Amend Sec. 11, page 9, lines 2 to 4 by striking out "which were" in line 2, all of lines 3 and 4 and inserting: as provided for by the act of June 3 1933 (P L 1449) as amended and known as the "Juvenile Court Law of Allegheny County" which act where applicable shall control all juvenile matters before the family court

Amend Sec. 11, page 9, line 11 by inserting after "parent" where it appears the second time: that constitute misdemeanors rather than felonies

Amend Sec. 11, page 9, line 12 by inserting after "paternity": and which actions may be tried by civil procedure rather than as crimes according to rules promulgated by the family court

Amend Sec. 11, page 9, by inserting between lines 14 and 15:

In each of the above cases where the family court exercises criminal jurisdiction the right to a jury trial and the constitutional guarantees for the protection of those accused of crime shall be held inviolate and any hearing conducted shall be according to rules of criminal procedure The family court shall have such equity powers as are necessary for the partition of property between husband and wife and for the effectuation of justice between members of the family and protecting the family from outside interference Procedure under the "Juvenile Court Law of Allegheny County" as amended shall be as now provided by law and rule of court subject to such change as may hereafter be made in such law or rule of court

Amend Sec. 15, page 11, line 10 by striking out "powers conferred by law upon the court of common pleas and the".

Amend Sec. 15, page 12, line 1, by striking out "detail" and inserting: detailed

Amend Sec. 15, page 12, line 8 by inserting "court": but is elsewhere in Pennsylvania or if out of Pennsylvania is a domiciliary of this Commonwealth

Amend Sec. 16, page 12, lines 12 to 14 by striking out "The dockets" in line 12 and all of lines 13 and 14.

Amend Sec. 18, page 13, line 6 by inserting after "court": except where concurrent jurisdiction exists by law

Amend Sec. 19, page 13, line 9, by striking out "Section" and inserting: Court

Amend Sec. 20, page 13, lines 12 to 18; and page 14, lines 1 and 2, by striking out "Judge Repeal of Juvenile Court Law" in line 12, all of lines 13 to 18, page 13, and all of lines 1 and 2, page 14 and inserting: of Allegheny County Section of Family Court All statutes pertaining to the Juvenile Court of Allegheny County shall continue in force and effect except as modified or changed by the provisions of this act The juvenile court shall be a section of the family court and the regularly elected judge of the juvenile court shall be the executive and administrative head of such section and shall have the primary responsibility for the enforcement of laws pertaining to juveniles and the operation of the section When need arises the juvenile court judge may request other judges of the family court to hear juvenile matters and the chief judge may request the juvenile court judge to sit on other domestic relations matters The staff of the juvenile court shall serve the juvenile court section of the family court and in addition shall perform such other services for the family court as directed by the board of judges with the concurrence of the juvenile court judge, including the training of professional staff for the family court

On the question,

Will the Senate agree to the amendments?

There were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

Upon motion of Mr. LANE, seconded by Mr. DEVLIN, and agreed to, the bill, as amended, was placed on the Third Reading Postponed Calendar.

BILLS INTRODUCED AND REFERRED

Messrs. VAN SANT, WADE, MURRAY and KALMAN, by unanimous consent, presented to the Chair **SB 846**, entitled:

An Act amending the act of May 17, 1921 (P. L. 682), entitled "The Insurance Company Law of 1921," permitting stock insurance companies to issue stock without par value, eliminating the five dollar (\$5.00) minimum par value requirement, permitting par value stock to be issued at not less than par, further defining profits for purposes of declaring and paying dividends, and clarifying certain other provisions relating to capital stock, capital and paid in surplus.

Which was committed to the Committee on Insurance.

Messrs. PECHAN and SHAFER, by unanimous consent, presented to the Chair **SB 847**, entitled:

An Act relating to financial affairs of taxing districts as herein defined and certain school districts; changing the fiscal years of such taxing districts and school districts; regulating the time for making and reporting of budgets, financial statements, and the audits of accounts, the settlement of tax accounts, and the return of delinquent taxes; providing for tax levies and discounts from and penalties and interest on taxes, and providing for a special fiscal period in order to effectuate a change of fiscal years in said taxing districts.

Which was committed to the Committee on Education.

MEETING OF COMMITTEE ON LOCAL GOVERNMENT

Mr. HALUSKA. Mr. President, I request a five minute recess of the Senate for the purpose of holding a meeting of the Committee on Local Government, to be held in the rear of the Senate Chamber.

Mr. WEINER. Mr. President, while the Committee on Local Government is holding its meeting, I would request that we continue with the business of the Session.

The PRESIDING OFFICER. There being no objection, we will continue with the business of the Session.

PERMISSION TO ADDRESS SENATE

Mr. STIEFEL asked and obtained unanimous consent to address the Senate.

Mr. STIEFEL. Mr. President, the two bills which I am about to introduce deal with a subject on which action is long overdue in the legislative annals of Pennsylvania.

You know, we have passed many laws during this Session regarding highway safety. However, we forgot the most important culprits; namely, those automobile mechanics who pretend to know all about automobiles and then they fashion a weapon of death by omission or commission. For this reason, it is high time that the law catches up with these people. For this reason, also, I must lament this situation by offering two bills.

BILLS INTRODUCED AND REFERRED

Mr. STIEFEL, by unanimous consent, presented to the Chair **SB 848**, entitled:

An Act relating to the repairing of motor vehicles; providing for the licensing and registration of persons, firms and corporations engaged in such service and for the revocation and suspension of such licenses and registration subject to appeal, and for their reinstatement; defining the powers and duties of the State Board of Examiners of Motor Vehicle Repairmen and the Department of Public Instruction and providing penalties.

Which was committed to the Committee on Highways.

He also, by unanimous consent, presented to the Chair **SB 849**, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," by creating the State Board of Examiners of Motor Vehicle Repairmen as a departmental administrative board in the Department of Public Instruction and prescribing its powers and duties.

Which was committed to the Committee on Highways.

REPORTS FROM COMMITTEES

Mr. WADE, by unanimous consent, from the Committee on Highways, reported, as committed, **HB 1331**.

Mr. RIPP, by unanimous consent, from the Committee on Local Government, reported, as committed, **SB 671** and **HB 1284**.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. DEVLIN, by unanimous consent, from the committee on Executive Nominations, reported the following nominations, made by his Excellency, the Governor, which laid on the table:

MEMBER OF THE BOARD OF TRUSTEES OF
CONNELLVILLE STATE HOSPITAL

May 9, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Peter J. Adams, Jr., 1317 Race Street, Connellsville, Fayette County, for appointment as a member of the Board of Trustees of Connellsville State Hospital, until the third Tuesday of January 1965, and until his successor is appointed and qualified, vice Anthony L. DeOre, Connellsville, whose term expired.

DAVID L. LAWRENCE.

MEMBER OF THE CHESTER COUNTY BOARD
OF ASSISTANCE

May 22, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Dorothy M. Moran (Democrat), 37 North Matlack Street, West Chester, Chester County, for appointment as a member of the Chester County Board of Assistance, until December 31, 1962, and until her successor is duly appointed and qualified, vice Harry T. Barnett, Spring City, whose term expired.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF
PENNHURST STATE SCHOOL

June 13, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Pennhurst State School:

H. Stanley Witwer, Elverson, Chester County, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

Mrs. Agnes Speakman, Glenmore, Chester County, until the third Tuesday of January 1963, and until her successor is appointed and qualified.

David A. Bloomer, 551 Nutt Street, Phoenixville, Chester County, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

Harvey H. Haldeman, R. D., Chester Springs, Chester County, until the third Tuesday of January 1965, and until his successor is appointed and qualified.

William H. Wilfong, 749 East Orange Street, Lancaster, Lancaster County, until the third Tuesday of January 1965, and until his successor is appointed and qualified.

William F. Hohl, 1240 East Schuylkill Road, Pottstown, Montgomery County, until the third Tuesday of January 1965, and until his successor is appointed and qualified.

William A. Griffith, 31 Chestnut Street, Pottstown, Montgomery County, until the third Tuesday of January 1967, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF
WOODVILLE STATE HOSPITAL

June 26, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Woodville State Hospital:

Mrs. Grace McDivitt, 664 Elm Street, Bridgeville, Allegheny County, until the third Tuesday of January 1963, and until her successor is appointed and qualified.

Stephen R. Fliss, 364 Porter Street, Springdale, Allegheny County, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

Bernard Roth, 1228 South Negley Avenue, Pittsburgh 17, Allegheny County, until the third Tuesday of January 1967, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

SENATE RESOLUTION

REQUESTING THE JOINT STATE GOVERNMENT
COMMISSION TO MAKE A STUDY OF COMPULSIVE
DISORDERS, SUCH AS ALCOHOLISM, DRUG
ADDICTION AND GAMBLING

Messrs. LANE, WEINER and SEYLER, by unanimous consent, offered the following resolution (**Serial No. 81**), which was read and referred to the Committee on Rules:

In the Senate, July 7, 1961.

WHEREAS, Various institutions, agencies and professional workers have attested to an alarming increase in the number of persons afflicted with compulsive disorders, such as alcoholism, drug addiction and gambling; and

WHEREAS, Precise knowledge as to the extent of and the reasons for the apparent increase in these disorders is woefully inadequate for the purposes of establishing appropriate emergency and long range preventive programs; and

WHEREAS, Compulsive disorders involve fields of professional interest other than alcoholism, drug addiction, and gambling, such as excessive use of tobacco, prostitution, certain sex offenses and other psychopathic behavior, and consequently require the attention of not only local and private agencies but also that of the State Departments of Health, Public Welfare; Justice, Labor and Industry and Public Instruction; and

WHEREAS, The damage done by these behavioral disorders to thousands of homes and hundreds of thousands of individuals is incalculable; and

WHEREAS, The concomitant economic losses undoubtedly run into vast sums of money as may be involved in work time lost, reduced and inferior work output, accidents, welfare payments, plus the cost of crime; and

WHEREAS, Present resources for treatment, rehabilitation, research, professional training and prevention are grossly inadequate; and

WHEREAS, It is urgent that we develop an emergency program beyond the present efforts and equally urgent that we organize long range programs in all pertinent areas of responsibility; therefore be it

RESOLVED, That the Joint State Government Commission be directed to study and investigate the problems relating to compulsive disorders, including but not limited to the study of pertinent statistics, the nature and effectiveness of present State, community or private organizational efforts, with its objective in such study being the presentation of a master plan for present and long range needs in the fields under study, with special emphasis on treatment, rehabilitation, cooperation with law enforcement, research, professional training and prevention; and be it further

RESOLVED, That in the furtherance of such study the Joint State Government Commission be directed to seek the cooperation of all State departments and agencies and any community or private organizations which may be of assistance in the study of compulsive disorders; and be it further

RESOLVED, That the Joint State Government Commission report to the 1963 Session of the General Assembly its findings and recommendations with drafts of legislation necessary to carry the recommendations into effect.

The PRESIDING OFFICER. At this time, the Chair requests Senator Rooney to approach the rostrum.

The PRESIDING OFFICER (Fred B. Rooney) in the Chair.

SECOND READING CALENDAR

BILLS OVER IN ORDER

SB 353—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

SB 375 and 473—Without objection, the bills were passed over in their order at the request of Mr. LANE.

HB 573—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILL ON SECOND READING AMENDED

SB 598 (Pr. No. 684)—The first and second sections were read and agreed to.

The third section was read.

On the question,

Will the Senate agree to the section?

Mr. WADE. Mr. President, the amendments which I am about to offer delete the right of eminent domain from this bill.

The PRESIDING OFFICER. The Clerk will read the amendments.

The amendments were read by the Clerk as follows:

Amend Sec. 3, page 4, line 13, by striking out "eminent domain".

Amend Sec. 3, page 4, line 14, by inserting after "otherwise": except by eminent domain

They were agreed to.

The section was agreed to as amended.

The fourth section was read.

On the question,

Will the Senate agree to the section?

Mr. WADE offered the following amendment:

Amend Sec. 4, page 5, lines 3 to 7, by striking out all of said lines.

It was agreed to.

The section was agreed to as amended.

The fifth section was read.

On the question,

Will the Senate agree to the section?

Mr. WADE offered the following amendment:

Amend Sec. 5, page 5, line 8, by striking out "5" and inserting: 4

It was agreed to.

The section was agreed to as amended.

The sixth section was read.

On the question,

Will the Senate agree to the section?

Mr. WADE offered the following amendment:

Amend Sec. 6, page 5, line 14, by striking out "6" and inserting: 5

It was agreed to.

The section was agreed to as amended.

The seventh section was read.

On the question,

Will the Senate agree to the section?

Mr. WADE offered the following amendment:

Amend Sec. 7, page 6, line 7, by striking out "7" and inserting: 6

It was agreed to.

The section was agreed to as amended.

The eighth section was read.

On the question,

Will the Senate agree to the section?

Mr. WADE offered the following amendment:

Amend Sec. 8, page 6, line 13, by striking out "8" and inserting: 7

It was agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. WADE offered the following amendments:

Amend Title, page 1, third line of Title, by striking out "eminent domain".

Amend Title, page 1, fourth line of Title, by inserting after "otherwise": except by eminent domain

Amend Title, page 1, fifth line of Title, by striking out "condemnation valuation".

They were agreed to.

The title was agreed to as amended.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. LANE.

BILL ON SECOND READING

SB 603 (Pr. No. 689)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

SB 611 and 613—Without objection, the bills were passed over in their order at the request of Mr. HAYS.

BILL ON SECOND READING AMENDED

SB 644 (Pr. No. 1028)—The first, second, third, fourth and fifth sections were read and agreed to.

The sixth section was read.

On the question,

Will the Senate agree to the section?

Mr. MAHADY offered the following amendment:

Amend Sec. 6, page 13, line 10, by striking out "general".

It was agreed to.

The section was agreed to as amended.

The seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth, sixteenth, seventeenth, eighteenth, nineteenth, twentieth, twenty-first, twenty-second, twenty-third, twenty-fourth, twenty-fifth, twenty-sixth, twenty-seventh, twenty-eighth, twenty-ninth, thirtieth, thirty-first, thirty-second and thirty-third sections and title were read and agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. Mahady.

BILL ON SECOND READING

SB 730 (Pr. No. 1030)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

SB 741—Without objection, the bill was passed over in its order at the request of Mr. LANE.

BILL ON SECOND READING

SB 747 (Pr. No. 1027)—Read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

SB 773—Without objection, the bill was passed over in its order at the request of Mr. LANE.

BILL ON SECOND READING

HB 853 (Pr. No. 2448)—Read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

HB 1025 (Pr. No. 1960)—The first section was read.
On the question,
Will the Senate agree to the section?
Mr. STROUP offered the following amendment:

Amend Sec. 1, page 10, line 11, by inserting after "appointment": No mentally ill or mentally deficient patient shall be transferred between party states until consent has been obtained from the person legally responsible for the patient's maintenance

It was agreed to.

The section was agreed to as amended.

The second, third, fourth and fifth sections were read and agreed to.

The sixth sections was read.

On the question,

Will the Senate agree to the section?

Mr. STROUP offered the following amendment:

Amend Sec. 6, page 15, line 9, by inserting after "PENNSYLVANIA": having been duly and properly committed or admitted pursuant to laws of the Commonwealth of Pennsylvania

It was agreed to.

The section was agreed to as amended.

The seventh and eighth sections and title were read and agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. STROUP.

BILLS OVER IN ORDER

HB 1075, 1085, 1098, 1099, 1101, 1105, 1163 and 1174—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

HB 1178 and 1190—Without objection, the bills were passed over in their order at the request of Mr. LANE.

HB 1402, 1414 and 1496—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

HB 1769—Without objection, the bill was passed over in its order at the request of Mr. LANE.

BILLS ON FIRST READING

Mr. LANE. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. RIPP. Mr. President, I second the motion.

The motion was agreed to.

The bills were as follows:

SB 671, HB 1023, 1172, 1284, 1294, 1307, 1331, 1335, 1533 and 1595.

And said bills having been read at length for the first time,

Ordered, To be laid aside for second reading.

REGULAR ORDER OF BUSINESS
RESUMED

The PRESIDING OFFICER. Consideration of today's Calendar being completed, we will now revert to the regular order of business.

EXECUTIVE NOMINATIONS

EXECUTIVE SESSION

A motion was made by Mr. DEVLIN and Mr. LANE, That the Senate do now resolve itself into Executive Session for the purpose of considering certain nominations made by the Governor.

Which was agreed to.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. DEVLIN asked and obtained unanimous consent for immediate consideration of the nominations made by His Excellency, the Governor, and reported from committee at today's Session.

NOMINATIONS TAKEN FROM THE TABLE

Mr. DEVLIN. Mr. President, I call from the table for consideration the nominations reported from committee today.

The PRESIDING OFFICER. The Clerk will read the nominations.

The nominations were read by the Clerk as follows:

MEMBER OF THE BOARD OF TRUSTEES OF
CONNELLSVILLE STATE HOSPITAL

May 9, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Peter J. Adams, Jr., 1317 Race Street, Connelville, Fayette County, for appointment as a member of the Board of Trustees of Connelville State Hospital, until the third Tuesday of January 1965, and until his successor is appointed and qualified, vice Anthony L. DeOre, Connelville, whose term expired.

DAVID L. LAWRENCE

MEMBER OF THE CHESTER COUNTY BOARD OF
ASSISTANCE

May 22, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Dorothy M. Moran (Democrat), 37 North Matlack Street, West Chester, Chester County, for appointment as a member of the Chester County Board of Assistance, until December 31, 1962, and until her successor is duly appointed and qualified, vice Harry T. Barnett, Spring City, whose term expired.

DAVID L. LAWRENCE

MEMBERS OF THE BOARD OF TRUSTEES OF
PENNHURST STATE SCHOOL

June 13, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Pennhurst State School:

H. Stanley Witwer, Elverson, Chester County, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

Mrs. Agnes Speakman, Glenmoore, Chester County, until the third Tuesday of January 1963, and until her successor is appointed and qualified.

David A. Bloomer, 551 Nutt Street, Phoenixville, Chester County, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

Harvey H. Haldeman, R. D., Chester Springs, Chester County, until the third Tuesday of January 1965, and until his successor is appointed and qualified.

William H. Wilfong, 749 East Orange Street, Lancaster, Lancaster County, until the third Tuesday of January 1965, and until his successor is appointed and qualified.

William F. Hohl, 1240 East Schuylkill Road, Pottstown, Montgomery County, until the third Tuesday of January 1965, and until his successor is appointed and qualified.

William A. Griffith, 31 Chestnut Street, Pottstown, Montgomery County, until the third Tuesday of January 1967, and until his successor is appointed and qualified.

DAVID L. LAWRENCE

MEMBERS OF THE BOARD OF TRUSTEES OF
WOODVILLE STATE HOSPITAL

June 26, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Woodville State Hospital:

Mrs. Grace McDevitt, 664 Elm Street, Bridgeville, Allegheny County, until the third Tuesday of January 1963, and until her successor is appointed and qualified.

Stephen R. Fliss, 364 Porter Street, Springdale Allegheny County, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

Bernard Roth, 1228 South Negley Avenue, Pittsburgh 17, Allegheny County, until the third Tuesday of January 1967, and until his successor is appointed and qualified.

DAVID L. LAWRENCE

On the question,

Will the Senate advise and consent to the nominations?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Ripp,	Van Sant,
Devlin,	Lane,	Sarra,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Rooney,
Hawbaker,	Miller,		Presiding Officer

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. DEVLIN. Mr. President, I move that the Executive Session do now rise.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT pro tempore (Anthony J. DiSilvestro) in the Chair.

BILLS SIGNED

The President pro tempore (Anthony J. DiSilvestro) in the presence of the Senate signed the following bills:

SB 133, 182, 183, 186, 522, 570, HB 410, 428, 445, 455, 530, 929, 932, 973, 979, 980, 1077, 1165, 1169, 1212, 1213, 1344, 1346, 1347, 1350, 1447, 1460, 1468, and 1545.

The PRESIDING OFFICER (Fred B. Rooney) in the Chair.

COMMITTEE OF CONFERENCE APPOINTED
ON SB 88

The PRESIDING OFFICER. The Chair announces, on behalf of the President pro tempore, the appointment of Messrs. LANE, RIPP and STEVENSON as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (if the House shall appoint such committee) to consider the differences existing between the two houses in relation to Senate Bill No. 88.

Ordered, that the clerk inform the House of Representatives accordingly.

COMMUNICATION FROM THE GOVERNOR

APPROVAL OF SENATE BILL

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor, advising that the following Senate bill had been approved and signed by the Governor:

SB 350.

ANNOUNCEMENTS BY THE SECRETARY

The following announcements were read by the Secretary of the Senate:

COMMITTEE MEETINGS

MONDAY, JULY 10, 1961

Eastern Daylight

Saving Time

COMMITTEE

ROOM

6:30 P. M. SELECT COMMITTEE ON EDUCATION 245

DEMOCRATIC CAUCUS1:00 P.M., D.S.T.

REPUBLICAN CAUCUS1:00 P.M., D.S.T.

NOTICE

MONDAY, JULY 10, 1961

The Committee on Local Government will hold a Public Hearing on Monday, July 10, 1961 at 10:00 a.m., Daylight Saving Time, in the Democratic Caucus Room on House Bill 1221 and 1438.

ADJOURNMENT

Mr. WEINER. Mr. President, I move that the Senate do now adjourn until Monday, July 10, 1961, at 1:30 p.m., Eastern Standard Time.

Mr. RIPP. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 12:11 p.m., Eastern Standard Time.

Legislative Journal.

Session 1961.

145th of the General Assembly.

Vol. 38.

HARRISBURG, PA., MONDAY, JULY 10, 1961.

No. 73.

SENATE

MONDAY, July 10, 1961.

The Senate met at 1:30 p.m., Eastern Standard Time.

The PRESIDENT (Lieutenant Governor John Morgan Davis) in the Chair.

PRAYER

The Chaplain, Rev. GEORGE A. SMITH, Pastor of Saint Paul's Church of Christ, Fort Washington, offered the following prayer:

Let us pray.

Almighty and everlasting God, our Creator and Judge, Who hast called us into service as leaders of men in this Commonwealth, we turn our hearts and minds to Thee again as we begin another day in these halls of government. We are mindful of Thine infinite goodness toward us and toward all men, and we praise Thee this day for the strength of mind and body in us as we set our hands to the business of this day. Help us, in the midst of our manifold interests and duties, to remember that we are sons of Thine. By what we do and by what we are, assist us to render Thee faithful and noble service. Deliver us from indolence and weakness, from narrowness and prejudice, from self-interest and unconcern for the needy. Teach us, O God, to look away from ourselves to the hopes and aspirations of others. Grant us power so to use our varied gifts and privileges as to brighten and ennoble the life of our Commonwealth and people.

May this day find in us all a brotherly spirit, in spite of our differences, and may its end be crowned with a feeling of work nobly done.

In the Spirit of our Lord and Savior, Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WEINER and Mr. LANE, further reading was dispensed with, and the Journal was approved.

NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as

follows, and referred to the Committee on Executive Nominations:

JUSTICE OF THE PEACE

July 10, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Norma J. DeBrakeleer, Box 122, Depot Street, Mill Village, Erie County, for appointment as Justice of the Peace in and for the Borough of Mill Village, Erie County, to serve until the first Monday of January 1962, to fill a vacancy.

DAVID L. LAWRENCE

BILLS SIGNED

The President (Lieutenant Governor John Morgan Davis) in the presence of the Senate signed the following bills:

SB 114, 115, 125, 439, HB 58 and 59.

UNANIMOUS CONSENT GRANTED FOR IMMEDIATE CONSIDERATION OF CALENDAR

Mr. WEINER. Mr. President, I now request unanimous consent that we proceed to the consideration of today's Calendar.

The PRESIDENT. There being no objection, the Senate will proceed to the order of business of consideration of today's Calendar.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS,
RECALLED FROM THE GOVERNOR

HB 1186 (Pr. No. 2412)—Mr. WEINER. Mr. President, I move that the Senate do not concur in the amendments made by the House to House Bill No. 1186, recalled from the Governor.

Mr. LANE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,

Flack,
Fleming,
Haluska,
Hawbaker,

McCreesh,
McGinnis,
McMenamin,
Miller,

Seyler,
Shafer,
Silvert,

Weiner,
Wolfe,
Yatron,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

SB 94 (Pr. No. 971)—Mr. WEINER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 94.

Mr. LANE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

(During the calling of the roll, the following occurred:)

Mr. BELL. Mr. President, having voted under a misapprehension, I desire to change my vote from "no" to "aye."

The PRESIDENT. The gentleman will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—29

Bell,
Berger.
Camel,
DiSilvestro,
Donolow,
Haluska,
Hays,
Lane,

Mahady,
Mallery,
McCreesh,
McGinnis,
McMenamin,
Miller,
Mullin,

Murray,
Ripp,
Rooney,
Sarraf,
Scott,
Sesler,
Seyler,

Silvert,
Staisey,
Stevenson,
Stiefel,
Van Sant,
Weiner,
Yatron,

NAYS—17

Chapman,
Confair,
Ehrgood,
Fleming,
Hawbaker,

Keller,
Kromer,
Madigan,
Pechan,

Propert,
Shafer,
Stroup,
Taylor,

Wade,
Wagner,
Ware, III,
Wolfe,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON HB 678 LAID ON THE TABLE

HB 678 (Pr. No. 2384)—Mr. BERGER. Mr. President, I move that the Report of Committee of Conference on House Bill No. 678 be laid on the table.

Mr. PECHAN. Mr. President, I second the motion.

The motion was agreed to.

FINAL PASSAGE CALENDAR

BILLS OVER IN ORDER

HB 197—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

SB 493 and 687—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

HB 1082—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

THIRD READING CALENDAR

BILLS OVER IN ORDER

SB 8—Mr. EHrgOOD. Mr. President, I request that

Senate Bill No. 8 go over in its order. I did anticipate having amendments, but something got fouled up.

The PRESIDENT. Is there objection?

Mr. WEINER. Mr. President, I hope this bill will not be dogged by amendments so that we can get to it and vote on it.

The PRESIDENT. There being no objection, the bill will go over in its order.

SB 23—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

HB 53 and 67—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

HB 95 and SB 196—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

BILL ON THIRD READING, DEFEATED ON FINAL PASSAGE

SB 198 (Pr. No. 204)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. WEINER. Mr. President, may we be at least a moment?

The PRESIDENT. The Senate will be at ease.*

(The Senate was at ease.)

Mr. SEYLER. Mr. President, I desire to change my vote from "aye" to "no."

The PRESIDENT. The gentleman will be so recorded.

Mr. MULLIN. Mr. President, in order that this bill may be reconsidered, I desire to change my vote from "aye" to "no."

The PRESIDENT. The gentleman will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—16

Camel,
DiSilvestro,
Donolow,
Haluska,

Hays,
Lane,
McGinnis,
McMenamin,

Murray,
Ripp,
Rooney,
Sarraf,

Sesler,
Silvert,
Stiefel,
Weiner,

NAYS—25

Bell,
Berger,
Chapman,
Confair,
Ehrgood,
Flack,
Hawbaker,

Keller,
Kromer,
Madigan,
Mallery,
Mullin,
Pechan,

Propert,
Scott,
Seyler,
Shafer,
Stevenson,
Stroup,

Taylor,
Van Sant,
Wade,
Wagner,
Ware, III,
Wolfe,

Less than a majority of all the Senators having voted "aye," the question was determined in the negative, and the bill was defeated.

BILL ON THIRD READING AMENDED

HB 257 (Pr. No. 1887)—Read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. WEINER, by unanimous consent, offered the following amendment:

Amend Title, page 2, last line of Title, by inserting after "dispute": prescribing penalties

On the question,

Will the Senate agree to the amendment?

It was agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. WEINER.

BILL OVER IN ORDER

SB 351—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILL ON THIRD READING, DEFEATED ON FINAL PASSAGE

SB 477 (Pr. No. 1002)—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. BELL. Mr. President, I would like to speak in opposition to Senate Bill No. 477, Printer's No. 1002.

The reason I am opposed to this bill is because I know there are two factions involved. Some of the building and loan associations want this bill and many of the banks do not want it. However, I am speaking on behalf of the shareholders in the building and loan associations. During the depression years, we had a lot of building and loan associations go broke. It was because they invested quite widely in things such as large apartment houses and other investments of that nature.

This bill would take away the restrictions on building and loan associations as to what they could invest the money of the shareholders in; that is, the people who save their money in building and loan associations. If all Pennsylvania building and loan associations had insurance on their deposits, I could vote for this bill. However, a great majority of our Pennsylvania building and loan associations do not have the Federal insurance. If we permit these State building and loan associations to go into the speculative lending and real estate business, I think we will be faced with the things that happened before. It is going to be the shareholders' money that will go down the drain.

Therefore, Mr. President, I am going to vote against this bill. I consider it a bad bill until such time when all deposits in the State building and loan associations are insured as to the depositor.

Mr. SILVERT. Mr. President, I intend to vote against this bill primarily for one reason. This is the first time that building and loan associations would be permitted to place mortgages on undeveloped land. I do not think that the savings of small people should go toward that type of investment.

Therefore, Mr. President, I intend to vote "no" on this bill.

And the question recurring,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. LANE. Mr. President, I desire to change my vote from "aye" to "no."

The PRESIDENT. The gentleman will be so recorded.

Mr. CAMIEL. Mr. President, I desire to be recorded as voting "no" on this bill.

The PRESIDENT. The gentleman will be so recorded.

Mr. MAHADY. Mr. President, I desire to change my vote from "aye" to "no."

The PRESIDENT. The gentleman will be so recorded.

Mr. RIPP. Mr. President, I desire to be recorded as voting "no."

The PRESIDENT. The gentleman will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—14

DiSilvestro,
Donolow,
Keller,
McCreesh,

McMenamin,
Miller,
Murray,
Rooney,

Sarraf,
Stalsey,
Van Sant,

Wagner,
Ware, III,
Weiner,

NAYS—31

Bell,
Berger,
Camiel,
Chapman,
Confair,
Ehrgood,
Flack,
Fleming,

Haluska,
Hawbaker,
Hays,
Kromer,
Lane,
Madigan,
Mahady,
Mallery,

McGinnis,
Mullin,
Pechan,
Propert,
Ripp,
Scott,
Seyler,
Shafer,

Silvert,
Stevenson,
Stiefel,
Stroup,
Taylor,
Wade,
Wolfe,

Less than a majority of all the Senators having voted "aye," the question was determined in the negative, and the bill was defeated.

BILL ON THIRD READING AMENDED

SB 603 (Pr. No. 689)—Read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. SEYLER, by unanimous consent, offered the following amendment:

Amend Bill, page 2, line 12 by inserting after "therein": provided that if the employe does not return to the employment of the school district for a period of at least one year the contributions made by and on behalf of the employe during the period of the leave of absence shall be refunded Section 2. This act shall take effect immediately

On the question,

Will the Senate agree to the amendment?

It was agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. SEYLER.

BILLS OVER IN ORDER

SB 610—Without objection, the bill was passed over in its order at the request of Mr. LANE.

SB 646—Without objection, the bill was passed over in its order at the request of Mr. HAYS.

SB 672—Without objection, the bill was passed over in its order at the request of Mr. LANE.

SB 688 and 690—Without objection, the bills were passed over in their order at the request of Mr. HAYS.

SB 704, 705 and 706—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

BILL ON THIRD READING AMENDED.

SB 707 (Pr. No. 1006)—Read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. RIPP, by unanimous consent, offered the following amendment:

Amend Sec. 1 (Sec. 1), page 4, line 7, by striking out "corporate" and inserting: fictitious

On the question,

Will the Senate agree to the amendment?

It was agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. RIPP.

BILL REREFERRED

SB 730 (Pr. No. 1030)—Upon motion of Mr. WEINER, seconded by Mr. LANE, and agreed to, the bill was referred to the Committee on Appropriations.

BILL ON THIRD READING AND FINAL PASSAGE

SB 747 (Pr. No. 1027)—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

HB 754 and 755—Without objection, the bills were passed over in their order at the request of Mr. PECHAN.

The PRESIDENT. At this time, the Chair turns the gavel over to the gentleman from Northampton, Senator Rooney, to preside.

The PRESIDING OFFICER (Fred B. Rooney) in the Chair.

BILL ON THIRD READING AND FINAL PASSAGE

SB 790 (Pr. No. 946)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Ripp,	Van Sant,
Devlin,	Lane,	Sarraf,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Rooney,
Hawbaker,	Miller,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

SB 796—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILL ON THIRD READING AMENDED

SB 811 (Pr. No. 989)—Read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. WEINER, by unanimous consent, offered the following amendments:

Amend Title, page 2, last line of Title, by striking out "railroad or pullman company".

Amend Sec. 1 (Sec. 406), page 2, lines 6 and 7, by inserting a bracket before "and" where it appears the second time in line 6 and after "licensees" in line 7.

Amend Sec. 1 (Sec. 406), page 2, line 7, by striking out "other than railroad or pullman companies".

Amend Sec. 1 (Sec. 406), page 3, line 8, by striking out "railroad or pullman company".

Amend Sec. 1 (Sec. 406), page 3, line 8, by inserting after "service": liquor

Amend Sec. 3 (Sec. 492), page 4, lines 9 and 10, by inserting a bracket before "or" where it appears the first time in line 9 and after "licensee" in line 10.

Amend Sec. 3 (Sec. 492), page 4, line 10, by striking out "other than a railroad or pullman company".

Amend Sec. 3 (Sec. 492), page 4, lines 15 and 16, by striking out "railroad or pullman company."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. WEINER.

BILL ON THIRD READING AND FINAL PASSAGE

HB 853 (Pr. No. 2448)—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Ripp,	Van Sant,
Devlin,	Lane,	Sarraf,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Rooney,
Hawbaker,	Miller,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

BILL OVER IN ORDER

HB 1139—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILL ON THIRD READING, DEFEATED ON FINAL PASSAGE

HB 1140 (Pr. No. 2200)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. LANE. Mr. President, I desire to change my vote from "aye" to "no."

The PRESIDING OFFICER. The gentleman will be so recorded.

Mr. SEYLER. Mr. President, I also wish to change my vote from "aye" to "no."

The PRESIDING OFFICER. The gentleman will be so recorded.

Mr. MURRAY. Mr. President, I desire to change my vote from "aye" to "no."

The PRESIDING OFFICER. The gentleman will be so recorded.

Mr. MAHADY. Mr. President, may I inquire how I am recorded as voting on this bill?

The PRESIDING OFFICER. The gentleman is not recorded as voting.

Mr. MAHADY. Mr. President, I wish to be recorded as voting "aye."

The PRESIDING OFFICER. The Senator will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—21

Camiel,	McCreesh,	Ripp,	Stevenson,
DiSilvestro,	McGinnis,	Sarraf,	Stiefel,
Donolow,	McMenamin,	Sesler,	Weiner,
Haluska,	Miller,	Silvert,	Yatron,
Hays,	Mullin,	Stalsey,	Rooney,
Mahady,			Presiding Officer

NAYS—25

Bell,	Keller,	Pechan,	Taylor,
Berger,	Kromer,	Propert,	Van Sant,
Chapman,	Lane,	Scott,	Wade,
Confair,	Madigan,	Seyler,	Wagner,
Ehrgood,	Mallery,	Shafer,	Ware, III,
Flack,	Murray,	Stroup,	Wolfe,
Fleming,			

Less than a majority of all the Senators having voted "aye," the question was determined in the negative, and the bill was defeated.

BILL ON THIRD READING AMENDED

HB 1181 (Pr. No. 2450)—Read at length the third time. On the question,

Will the Senate agree to the bill on third reading?

Mr. WEINER, by unanimous consent, offered the following amendment:

Amend Sec. 1, page 2, line 4, by striking out "three" and inserting: four

On the question,

Will the Senate agree to the amendment:

It was agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. WEINER.

BILLS ON THIRD READING, DEFEATED ON FINAL PASSAGE

HB 1241 (Pr. No. 1829)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. WEINER. Mr. President, I desire to change my vote from "aye" to "no."

The PRESIDING OFFICER. The gentleman will be so recorded.

Mr. LANE. Mr. President, I desire to change my vote from "aye" to "no."

The PRESIDING OFFICER. The gentleman will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—21

Camiel,	McCreesh,	Murray,	Silvert,
DiSilvestro,	McGinnis,	Ripp,	Stalsey,
Donolow,	McMenamin,	Sarraf,	Stiefel,
Haluska,	Miller,	Sesler,	Yatron,
Hays,	Mullin,	Seyler,	Rooney,
Mahady,			Presiding Officer

NAYS—25

Bell,	Keller,	Propert,	Van Sant,
Berger,	Kromer,	Scott,	Wade,
Chapman,	Lane,	Shafer,	Wagner,
Confair,	Madigan,	Stevenson,	Ware, III,
Ehrgood,	Mallery,	Stroup,	Weiner,
Flack,	Pechan,	Taylor,	Wolfe,
Fleming,			

Less than a majority of all the Senators having voted "aye," the question was determined in the negative, and the bill was defeated.

HB 1367 (Pr. No. 2402)—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. LANE. Mr. President, I desire to change my vote from "aye" to "no."

The PRESIDING OFFICER. The gentleman will be so recorded.

Mr. HAYS. Mr. President, I desire to change my vote from "aye" to "no."

The PRESIDING OFFICER. The gentleman will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—21

Camiel,	McGinnis,	Ripp,	Stalsey,
DiSilvestro,	McMenamin,	Sarraf,	Stiefel,

Donolow,
Haluska,
Mahady,
McCreesh,

Miller,
Mullin,
Murray,

Sesler,
Seyler,
Silvert,

Weiner,
Yatron,
Rooney,
Presiding Officer

NAYS—26

Bell,
Berger,
Chapman,
Confair,
Ehrgood,
Flack,
Fleming,

Hawbaker,
Hays,
Keller,
Kromer,
Lane,
Madigan,
Mallery,

Pechan,
Propert,
Scott,
Shafer,
Stevenson,
Stroup,

Taylor,
Van Sant,
Wade,
Wagner,
Ware, III,
Wolfe,

Less than a majority of all the Senators having voted "aye," the question was determined in the negative, and the bill was defeated.

BILLS POSTPONED

HB 1452, (Pr. No. 2215), HB 1453 (Pr. No. 1761), HB 1454 (Pr. No. 1762), HB 1455 (Pr. No. 1763) and HB 1456 (Pr. No. 1764)—Upon motion of Mr. WEINER, seconded by Mr. LANE, and agreed to, the bills were placed on the Third Reading Postponed Calendar.

BILLS OVER IN ORDER

HB 1515 and 1551—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

SECOND READING CALENDAR

BILL ON SECOND READING

SB 353 (Pr. No. 372)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

SB 375—Without objection, the bill was passed over in its order at the request of Mr. LANE.

SB 473, HB 573 and SB 598—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

SB 611 and 613—Without objection, the bills were passed over in their order at the request of Mr. HAYS.

SB 644, 671, 741 and 773—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

BILL ON SECOND READING AMENDED

HB 1023 (Pr. No. 1125)—The first section was read.

On the question,

Will the Senate agree to the section?

Mr. RIPP offered the following amendment:

Amend Sec. 1 (Sec. 411.1), page 2, line 10, by inserting after "ment": Such regulations by the department shall require individuals and corporations to restore the highway to its previous condition and save harmless all persons injured or damaged as a result of the seismic operations

It was agreed to.

The Section was agreed to as amended.

The title was read and agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. RIPP.

BILL ON SECOND READING

HB 1025 (Pr. No. 2452)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

HB 1075, 1085, 1098, 1099, 1101, 1105, 1163, 1172, 1174, 1178 and 1190—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

BILL ON SECOND READING

HB 1284 (Pr. No. 1481)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

HB 1294 and 1307—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

BILL ON SECOND READING

HB 1331 (Pr. No. 2308)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

HB 1335 and 1402—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

BILL ON SECOND READING

HB 1414 (Pr. No. 1963)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

HB 1496—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILLS ON SECOND READING

HB 1533 (Pr. No. 1899) and HB 1595 (Pr. No. 2454)—Read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

HB 1769 (Pr. No. 2301)—Mr. WEINER. Mr. President, I move that House Bill No. 1769 be recommitted to the Committee on State Government.

Mr. LANE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. WEINER. Mr. President, our reason for moving for the recommitment of this bill is that there is an Act before the Congress of the United States to deal with this problem. They have taken no action. This bill would be meaningless unless they do take some action. We will be here in Session if they take action within the next few weeks. Therefore, we can bring this back and act on it then. We are doing a needless job at this time.

I, therefore, have moved that the bill be recommitted to the Committee on State Government.

Mr. BERGER. Mr. President, may I interrogate the Majority Leader?

Mr. WEINER. I will allow myself to be interrogated, Mr. President.

Mr. BERGER. Mr. President, I would like to inquire whether the waters comprising Pymatuning Lake are interstate waters?

Mr. WEINER. Mr. President, this matter is the subject of a compact between the States. As a result of that, it comes under the jurisdiction of the Federal Government and the Congress, which are also a party to this compact. In order for us to carry out the requirements of this bill, we must have the necessary legislation which is before them now.

Mr. BERGER. Mr. President, I would like to correct what I said. I did not mean to infer that they are interstate waters. Of course, we know that Ohio and Pennsylvania about the waters of the dam. However, I wondered whether or not it was necessary for the approval of the Federal Government of a compact between the States, involving a private impoundment. That was my question.

Mr. WEINER. Mr. President, the answer to the question is that there is a piece of legislation that directly relates to this measure. It is a Senate Bill, on which no action has been taken, and I understand this measure is now before them. If we were to pass this today, and it would go to the Governor's desk and he would sign it, it would be absolutely meaningless unless the Congress took some action.

We held this matter last week when it came out. I have checked further today—just about twenty minutes before we came to the floor—with the Governor's Office, and I have been advised that they have taken no action on it. We are sending it back to committee not because we want to kill the bill, but because when the Congress acts, we will be very happy to bring it out and pass it so that it will fit right in with the action of the Congress.

Mr. BERGER. Mr. President, I have no objection to the motion or the recommittal of the bill. I wish enlightenment on that point only.

And the question recurring,

Will the Senate agree to the motion?

The motion was agreed to and the bill was recommitted.

HOUSE CONCURRENT RESOLUTION No. 62, AS AMENDED, CALLED UP

Mr. WEINER, without objection, called up from page 20 of the Calendar, House Concurrent Resolution No. 62, as amended, entitled:

Congress Memorialized to Adopt the Equal Rights for Women Amendment

On the question,

Will the Senate concur in the resolution, as amended?

Mr. WEINER. Mr. President, I was always under the impression that women did have equal rights. However, apparently, the Congress is not aware of it. Therefore, we would like to memorialize them to do so.

Mr. BERGER. Mr. President, I would not dare to attempt to correct the statement made by the Majority Leader as to his belief. However, it was always my impression that the rights were very unequal and that women's rights were highly superior to those of the men.

The PRESIDING OFFICER. Being a bachelor, the Chair is not in a position to rule on that.

Mr. WEINER. Mr. President, I think being in that unique position, you could probably enlighten the rest of us. We would be very happy to hear from you either privately or publicly.

And the question recurring,

Will the Senate concur in the resolution, as amended?

SENATE CONCURS IN HOUSE CONCURRENT RESOLUTION No. 62,, AS AMENDED

Mr. WEINER. Mr. President, I move that the Senate do concur in this resolution, as amended.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

Ordered, that the clerk return said resolution to the House of Representatives with information that the Senate has concurred in the same with amendments in which the concurrence of the House is requested.

COMMUNICATION FROM THE JOINT STATE GOVERNMENT COMMISSION, ENTITLED "PROPOSED INHERITANCE AND ESTATE TAX ACT OF 1961"

Mr. WEINER. Mr. President, I would like at this time to transmit a copy of the proposed Inheritance and Estate Tax Act of 1961, together with official comments of the Joint State Government Commission.

The communication was read by the Clerk as follows:

GENERAL ASSEMBLY OF THE COMMONWEALTH OF
PENNSYLVANIA
JOINT STATE GOVERNMENT COMMISSION
P. O. Box 61
Room 450—Capitol Building
Harrisburg
July 10, 1961

To the Honorable, the Senate of the General Assembly of the Commonwealth of Pennsylvania:

I have the honor to transmit herewith a copy of the Proposed Inheritance and Estate Tax Act of 1961, together with the official Comments of the Commission.

Respectfully submitted,

HARRIS G. BRETH
Chairman

The PRESIDING OFFICER. This communication will be noted in the Journal, and the Proposed Inheritance and Estate Tax Act of 1961 will be printed in the Appendix thereto.

REGULAR ORDER OF BUSINESS RESUMED

The PRESIDING OFFICER. Consideration of today's Calendar being completed, we will now revert to the regular order of business.

PERMISSION TO ADDRESS SENATE

Mr. DONOLOW asked and obtained unanimous consent to address the Senate.

Mr. DONOLOW. Mr. President, those of us who fight so diligently for justice do it because we hate the avenue of injustice. Since June the 1, Mr. President, I have been investigating one of the most vicious practices that has ever been undertaken in this Commonwealth. This vicious practice, Mr. President, finds itself in the halls of higher education in some of our universities and colleges.

The reason I am introducing this resolution at this time is because I am going to conclude my comments by asking my colleagues on the Senate floor to withhold any adoption of an appropriation to any college or university in Pennsylvania until we discover the problem that I am going to set forth.

Mr. President, sometime ago, the deans of our institutions in Pennsylvania—especially in the pharmacy schools—entered into a secret resolution whereby a

youngster who applied and was getting his education at one institution and desired, after his first or second year, to transfer to another institution could not do so unless the dean of the original institution gave his approval.

I am going to make this clear. This does not mean approval for marks and this does not mean approval for behavior. This means the dean's personal approval, based on no facts other than his own personal feelings at the time. If the dean of the original institution refused to give his approval, that youngster could not be accepted by any other college. This was the understanding.

When this resolution was presented, I have been told that a number of deans were opposed to it. They felt that to pass such a resolution would mean that any dean could curtail the education of any youngster at his own whim; that young people could be put into educational slavery; and that if a youngster was dismissed from a school for a personal reason, that youngster could not enroll in any other college or university unless the dean of the original school gave his approval.

When this was discussed at the meeting of the American Association of Colleges of Pharmacy, all the deans agreed that no such thing would ever take place. They said: "What dean would ever withhold the education of a youngster without any very definite reason?"

Mr. President, I want to report here today that in Pennsylvania, in one of our institutions, is one of the most vicious men of education who ever held the title of dean. I am referring to the Dean of the Philadelphia College of Pharmacy, Doctor Tice, who has ruined the education of more than ten youngsters to date because of personal reasons only; not because of marks and not because of behavior, but because they wanted to transfer from his institution to another college. His classic remark is: "As long as I am Dean, you will remain in this institution and you will not be permitted to transfer anywhere else."

This seems shocking. This is not understandable in a democratic form of government. It seems that I am hiding something. However, Mr. President, this is the fact. We, with our moneys and we with our appropriations, have built an educational Frankenstein. We have failed to look into what these deans are doing at their meetings.

I say, Mr. President, if any commercial or industrial organization in this State would attempt to control the flow of its customers like these deans are controlling the movement of students, we would ask for a State and Federal investigation of such a practice.

Mr. President, I do not want to give the idea that I am opposed to education. I think education is the greatest weapon we have to make America great. I also think democracy should be practiced in education. To think that a youngster cannot have free transfer and free movement because one man is going to control his education, I think is not the type of monster that we are interested in building.

Mr. President, my resolution asks that a five-man Committee of Senators be appointed to look into this situation to see how deep this control and this understanding between deans is.

I ask in my resolution that there be no appropriation made for this. I do not think it is necessary to spend money to look into this.

I want to end up by saying one thing. Whenever we

in this Legislature have looked into education, it has seemed that we are treading on the grounds of the Lord; that we are not permitted to look into it and that it is sacrilegious to question the deans or question presidents of colleges.

Mr. President, education is an important part of American life. Education is an important part of the life of our youngsters. The amount of money we are spending in this Commonwealth for education is an indication of how important we think education is. However, I think we spend the money without looking into what is being done and how the deans are handling the universities and the colleges. I think it is about time that we start now.

Therefore, Mr. President, I am offering this resolution and ask that you assign it to the appropriate committee.

SENATE RESOLUTION

SENATE COMMITTEE TO EXAMINE SECRET AGREEMENT PROHIBITING STUDENTS FROM TRANSFERRING FROM ONE UNIVERSITY OR PROFESSIONAL SCHOOL TO ANOTHER

Mr. DONOLOW offered the following resolution (**Serial No. 82**), which was read and referred to the Committee on Law and Order:

In the Senate, July 10, 1961.

A preliminary investigation discloses that a number of professional schools and universities in the Commonwealth of Pennsylvania have entered into a secret agreement whereby a student who is in attendance at one university or professional school is prohibited from transferring to another school or university unless the dean of the original school gives his approval to the student for such transfer. This agreement has led to one of the most vicious practices ever undertaken by educational institutions in the history of our Country. It has literally placed the young students of our Commonwealth into serfdom.

A further examination of the problem has disclosed that one dean in the Commonwealth of Pennsylvania is actually controlling the freedom of students who are desirous of transferring from one university or professional school to another. This practice is un-American and has actually placed our young people into educational slavery.

It has also been disclosed that a number of deans in the Commonwealth have withheld their approval for the transfer of students who have requested such transfers and have refused them for no other reason than selfish and personal feelings whereby a student has been deprived of his freedom to secure an education from the institution of his choice.

It has been further disclosed that a number of deans have dismissed students from their institutions for personal reasons and because of their refusal to grant approval to a student to matriculate at another institution, said student has been deprived of continuing his higher education. This practice has become widespread and there are a number of young people in Pennsylvania today who have been precluded from registering at a university or professional school because of the stubborn refusal of a former dean to grant approval.

If such practice were undertaken by any industrial or commercial firm in this Commonwealth to control their customers from going from one enterprise to another, there would be an outcry for immediate criminal prosecution by State and Federal Governments.

The Senate of the Commonwealth of Pennsylvania needs factual information in order to determine how widespread this practice is and to what extent the youth of this Commonwealth are being controlled in their free selection of educational institutions; therefore be it

RESOLVED, That the President pro tempore of the Senate appoint five Members of the Senate, who together

shall constitute a committee, to examine this entire vicious and undemocratic practice; and be it further

RESOLVED, That the committee shall elect a chairman and such additional officers as it may deem necessary; that the committee may hold hearings, take testimony and make its investigations at such places as it shall deem necessary within this Commonwealth. It may issue subpoenas under the hand and seal of its chairman, commanding any person to appear before it and to answer questions touching matters properly being inquired into by the committee and to produce such books, papers, records and documents as the committee deems necessary. Such subpoenas may be served upon any person and shall have the force and effect of subpoenas issued out of the courts of this Commonwealth. Any person who wilfully neglects or refuses to testify before the committee, or to produce any books, papers, records or documents, shall be subject to the penalties provided by the laws of the Commonwealth in such case. Each member of the committee shall have the power to administer oaths and affirmations to witnesses appearing before the committee; and be it further

RESOLVED, That the committee shall report its findings, together with appropriate recommendations for legislation, if necessary, as soon as possible prior to the Senate voting on the appropriations for such colleges, universities and professional institutions; and be it further

RESOLVED, That there shall be no appropriation granted to the committee for this examination.

PERMISSION TO ADDRESS SENATE

Mr. PECHAN asked and obtained unanimous consent to address the Senate.

Mr. PECHAN. Mr. President, over the past seventy-five years, many studies have been made by the Federal Government and the State Government with reference to a proposed canal from Lake Erie to Pittsburgh, at the Ohio River.

Mr. President, I am about to introduce a resolution and ask the Chair to refer it to the proper committee. I am presenting this resolution on behalf of my colleagues, Senator Shafer, Senator Sesler and myself.

SENATE RESOLUTION

REQUESTING THE REVALUATION OF THE REPORT OF THE STATE PLANNING BOARD CONCERNING THE PROJECTED LAKE ERIE AND OHIO RIVER CANAL

Messrs. PECHAN, SHAFER and SESLER offered the following resolution (Serial No. 83), which was read and referred to the Committee on State Government:

In the Senate, July 10, 1961.

In 1957, the State Planning Board of the Commonwealth of Pennsylvania conducted a study to determine the practicability of a barge or ship canal connecting Lake Erie and the Ohio River and the effect of such a canal on the future economic status of the areas it would serve and affect, including in particular the Commonwealth of Pennsylvania. It was the conclusion of said study, made by the engineering firm of Ford, Bacon & Davis and approved by said board, that the construction of such a canal was not practicable and that its effect would be prejudicial and adverse to the economic and other interests of this Commonwealth and its citizens.

During the past seventy-five years, the Federal Government has made a number of studies contemplating the construction of such a canal and during this present year, it appears that proponents of the canal are seeking an allocation of funds by the Federal Government to pay for another such study, looking to the construction of a canal by the Beaver-Mahoning route.

In order that the Governor of the Commonwealth, the

General Assembly, the interested State Departments and the public may be properly apprised of the impact and effects of such a canal upon the economy of western Pennsylvania and of our Commonwealth as a whole, it is essential that the aforementioned study made by the State Planning Board in 1957 be reevaluated, it appearing that we shall thereby be enabled to determine on rational grounds our position in relation to said project; therefore be it

RESOLVED, That the Senate hereby requests that the study and report upon the projected Lake Erie and Ohio River canal made for and under directions of the State Planning Board by the engineering firm of Ford, Bacon & Davis in 1957 and thereafter approved by said board be reevaluated so as to restate the relevant facts and figures as of the year 1961; and be it further

RESOLVED, That copies of this resolution be transmitted to the State Planning Board and to the Governor.

PERMISSION TO ADDRESS SENATE

Mr. WEINER asked and obtained unanimous consent to address the Senate.

Mr. WEINER. Mr. President, today, in our Country, we find that people are living longer and that our elderly and senior citizens are remaining alive a great deal longer due to the technical advances made in medical science and also the many advantages that are available today, in our modern form of life, which were unavailable in past years.

I, therefore, think there are some things which we should do or at least recognize the existence of this group of people. There are many things,—the normal facilities which you and I take for granted in our everyday lives and which are easy for us to use—such as the telephone directory or the newspapers, which are printed in very small print and in which it is very difficult for these elderly people to participate. It also appears that these are the very people who would have the time to spend reading the newspapers or to call their friends. Public advertisements, which might be of some moment to them, are all in extremely small print. They are very difficult for these older people to read or to view.

Therefore, Mr. President, I think some step should be taken in order to aid these people. I ask that the resolution I am about to offer be sent to the appropriate committee.

SENATE RESOLUTION

REQUESTING THE JOINT STATE GOVERNMENT COMMISSION TO MAKE A STUDY OF USING LARGER TYPE IN CERTAIN PUBLICATIONS

Mr. WEINER offered the following resolution (Serial No. 84), which was read and referred to the Committee on State Government:

In the Senate, July 10, 1961.

There appears to be a growing need by a large part of our senior citizens and the older portion of our population for the use of larger and more legible type in the use of certain publications. These publications include telephone directories, legal advertising in newspapers, city directories and similar publications. The older portion of our population is finding it more and more difficult to use these various publications, due to the smallness of the type used in preparing them for publication. These senior citizens are all part of the buying public; therefore be it

RESOLVED, That the Joint State Government Commission be instructed to make a study of the necessity of using a larger type in the printing of public advertisements, telephone directories, legal advertising and similar publications which are used extensively by a large portion of our older citizens; and be it further

RESOLVED, That the Joint State Government Commission report the result of its study at the first session of the Senate in 1962.

PERMISSION TO ADDRESS SENATE

Mr. KROMER asked and obtained unanimous consent to address the Senate.

Mr. KROMER. Mr. President, the coal industry in Pennsylvania is at its lowest ebb, although I will grant that the industry on a Nation-wide basis is likewise in a period of doldrums, with consumption steadily on the decrease over the last fifteen years.

It can be expected that as the years pass, consumption of coal will rise, providing national policy does not further hamstring this very basic industry. Will Pennsylvania benefit from this anticipated increased production? Is there anything that can be done to recapture for Pennsylvania a larger share of the present day market?

From 1890 to 1915, Pennsylvania produced approximately thirty-eight per cent of all coal produced in this Nation. From 1915 to 1959, our share of the national output has dropped to less than sixteen per cent. For example, in 1950 we produced over twenty per cent of the national output, while West Virginia produced over twenty-seven per cent and Virginia produced over three per cent. In 1959, Pennsylvania's share had dropped to fifteen per cent, while that of West Virginia had increased to twenty-nine per cent and that of Virginia to over seven per cent.

Pennsylvania has adequate coal reserves. It has the manpower and the capital and know-how to produce far more coal than its present rate of production. Those of its mines that are idle and those of its mines that are working, but on a reduced work schedule, are idle or on a reduced schedule because of two basic factors.

From a geological standpoint, the average thickness of coal seams and coal reserves is greater in competitive States than in Pennsylvania. Taking strip or open pit mining for example, the average thickness of seams in Pennsylvania is thirty-eight inches, while those of Virginia and West Virginia are between six and seven feet. Obviously, this means that all other factors being equal, from a production standpoint, it costs less to produce a ton of coal in both of these competitive States than it does in Pennsylvania. A similar comparison would show a similar result in the deep mining industry.

From a geographical standpoint, the great markets of the northeastern seaboard and of the eastern Great Lakes trade should belong to Pennsylvania, while the great markets of the southern industrial complex and the western Great Lakes trade should belong to the Virginia, West Virginia, Ohio and Kentucky coal fields.

In 1959, the average value of bituminous strip mined coal f.o.b. the mine in Pennsylvania was \$3.73, some thirty-one cents lower than a like value in 1950. At the same time, the average value in West Virginia in 1959 was \$3.74, some fifty-six cents less than in 1950. In Virginia, it was \$3.65, some \$1.32 less than in 1950. The over-all reduction in price over those nine years can be charged to the competition received from natural gas moving out of the Texas fields into the eastern and northern markets, and residual fuel moving from Venezuela and other foreign countries into the eastern utility markets, but the interesting thing to note is that West Virginia and Virginia now produce coal at a competitive rate with Pennsylvania in the stripping industry. A like

comparison would show a similar result in deep mine produced coal.

As these at-the-mine values continue to place the Pennsylvania producer at a disadvantage from a competitive standpoint with producers from other States, and as surely they must if technological advances in the future keep pace with those in the past, Pennsylvania stands to lose a great industry with a consequent loss of employment which will result in irreparable harm to the Commonwealth and our geographic advantage will have become meaningless.

As a stimulus to the opening up of the southern bituminous coal fields, as early as 1896 the railroads established a minimum freight rate differential between the Fairmont rate district of West Virginia and the Clearfield rate district which embraces generally the central Pennsylvania bituminous coal fields. The net result of the differential was to enable producers from the southern fields to compete with our Pennsylvania fields in the search for coal markets by allowing them to transport a ton of coal between 100 and 125 miles further for but twenty-two cents.

Although this may have been an impetus to the opening up of the southern fields, which in the interest of the national economy was feasible in 1896, the maintenance of such a differential up to the present time with little or no change has obviously worked to the disadvantage of the Commonwealth of Pennsylvania. Rate structures are complicated and hypothecate one upon the other, but the results are apparent.

The lake ports are, for example, among the most lucrative markets for coal and Pennsylvania's proximity to this area would, under normal conditions, make it a natural supplier. However, rail rates for local shipments to Sandusky, Ohio, and Toledo, Ohio are so arranged that coal shipped from the Clearfield district must pay the same rate for a haul that is 29 to 106 miles shorter than that from the West Virginia fields. Shipments originating from the Pocahontas, West Virginia district and the New River, Kentucky district, with hauls averaging 132 miles more than from the Pittsburgh district to these two cities, are costing only twenty-five cents more per ton.

Transshipment rates to western areas or to Canada over the Great Lakes show an even more startling situation. Coal from the Clearfield district to Cleveland costs up to thirty-seven cents more than coal from the southern fields, although the average is 170 miles less from the Clearfield district than from the southern area. An extreme case of this disadvantage is found in the Harlan, Kentucky district rate to Sandusky, where the southern producers ship coal 233 miles further than do Clearfield region producers for thirty-seven cents less. Is it any wonder that shipments to lake ports from this Commonwealth have shown a thirty per cent decrease over the past forty-nine years while the southern fields have shown phenomenal increases?

A like situation exists to the great east coast markets. The Clearfield district, more than 100 miles closer to New York and 98 miles closer to Philadelphia, has only a twenty-two to twenty-five cent lower rate than coal from the Fairmont, West Virginia district.

Over the years, complaints of these unrealistic freight rate differentials have been made by bituminous produc-

ers from Pennsylvania to the Interstate Commerce Commission, and the folly of a policy which steadily maintains an unrealistic differential in the face of rising rail rates generally has been called to the attention of the Commission. As late as 1955, a complaint, filed by members of the Eastern Bituminous Coal Association and joined in by other Pennsylvania producers, was dismissed by the Commission.

If Pennsylvania is to maintain its already reduced share of the national bituminous coal output, and if it is to recapture its fair share of its traditional markets, its competitive disadvantage must be relieved.

Therefore, Mr. President, I hereby present for the consideration of the Senate, and House of Representatives of Pennsylvania, this resolution.

SENATE CONCURRENT RESOLUTION

REQUESTING THE PUC AND THE ICC TO MAKE A STUDY OF THE BITUMINOUS COAL FREIGHT RATES

Mr. KROMER offered the following resolution (**Serial No. 126**), which was read and referred to the Committee on State Government:

In the Senate, July 10, 1961.

WHEREAS, There has been in existence for many years a relatively high level of railroad freight rates on bituminous coal from origins in the State of Pennsylvania to destinations in Pennsylvania and to destinations in the New England and other Middle Atlantic States as well as to Delaware, the District of Columbia and portions of the State of Maryland; and

WHEREAS, There has been a constantly growing influx of foreign residual oil into the market territory served by the bituminous coal industry of Pennsylvania; and

WHEREAS, Foreign residual oil, which is displacing substantial quantities of Pennsylvania bituminous coal, amounted to approximately 55 million tons of coal equivalent in 1960; and

WHEREAS, There has also been in existence for many years, in fact since about 1900, railroad established freight rate differentials on bituminous coal between origin districts in the States of West Virginia, Ohio and Pennsylvania to the destination territory indicated heretofore; and

WHEREAS, These freight rate differentials have become outmoded and unrealistic under changed conditions existing now as against those which existed at the time of their original establishment; and

WHEREAS, The original purpose of the differentials in rates was to permit longer-haul districts to compete with shorter-haul districts in common markets and were made in relatively small amounts to permit this result; and

WHEREAS, At present the bituminous coal producers located in origin districts outside the State of Pennsylvania are able, under the existing narrow differentials, to undersell Pennsylvania coal producers by a substantial margin in common markets; and

WHEREAS, The action of the railroads in maintaining a high level of coal freight rates and narrow differentials between competing districts and the action of the Interstate Commerce Commission and Pennsylvania Public Utility Commission in upholding these rates and differentials has enured to the benefit of the importers and distributors of residual oil and to producers of coal in origin districts outside the State of Pennsylvania, to the detriment of producers of bituminous coal in Pennsylvania; and

WHEREAS, These rates and differentials have resulted in the closing of mines in Pennsylvania, with consequent unemployment in the mining and related industries, and

have resulted in substantial quantities of bituminous coal from outside Pennsylvania being consumed within the State as well as in the other markets referred to herein; and

WHEREAS, This entire matter should be made the subject of a complete study by the Pennsylvania Public Utility Commission and the Interstate Commerce Commission, to the end that lawful and proper freight rates and differentials be established; therefore be it

RESOLVED (the House of Representatives concurring), That the Pennsylvania Public Utility Commission and the Interstate Commerce Commission be requested to make an up-to-date study of the entire matter of bituminous coal freight rates and differentials from the origin districts in Pennsylvania and the origin districts in West Virginia and Ohio, with which the Pennsylvania districts compete, to the market territory outlined herein and that lawful and proper freight rates and differentials be established for the future; and be it further

RESOLVED, That copies of this resolution be transmitted to the Pennsylvania Public Utility Commission, the Interstate Commerce Commission, and to the Governor and the Attorney General of the State of Pennsylvania.

PERMISSION TO ADDRESS SENATE

Mr. BERGER asked and obtained unanimous consent to address the Senate.

Mr. BERGER. Mr. President, the bill which I am about to present, on behalf of myself, Senator Fleming, Senator Taylor, Senator Bell, Senator Pechan, Senator Wade and Senator Propert, is a Congressional Reapportionment Bill. We realize, Mr. President, that this is a very, very difficult subject to solve and that there has been a committee working on this for some time. However, Mr. President, I understand from what I read in the newspaper today that a bill has been prepared by Mr. Otis Morse, Chairman of the Democratic State Committee, for presentation into the Senate or into the House. I am not sure which.

However, Mr. President, I do understand that one of the salient features of the Morse bill is that it retains six Congressional seats in Philadelphia County. I wish to point out that one of the salient features of our bill is that it does not provide for six seats in Philadelphia County. I may say further that I believe—and I am reasonably certain—that the retention of six seats in Philadelphia County would not be acceptable to the Republican Members of the Senate.

Undoubtedly, Mr. President, the Morse bill does not meet with the approval of all Democrats or of all Republicans and, undoubtedly, this bill will not meet with the approval of all Republicans or all Democrats. It will form a basis, however, I hope, for the Reapportionment Committee to go to work and try to compromise the differences. We believe it is a pretty good bill. It certainly is not perfect, but on that basis I am presenting this bill.

BILLS INTRODUCED AND REFERRED

Messrs. BERGER, FLEMING, TAYLOR, BELL, PECHAN, PROPERT and WADE, by unanimous consent, presented to the Chair **SB 850**, entitled:

An Act to apportion the Commonwealth of Pennsylvania into congressional districts.

Which was committed to the Committee on Reapportionment.

Messrs. MAHADY and PROPERT, by unanimous consent, presented to the Chair **SB 851**, entitled:

An Act amending the act of May 5, 1933 (P. L. 457), entitled "Building and Loan Code," authorizing the payment of bonus dividends to any class or classes of stock.

Which was committed to the Committee on Banking.

Mr. WADE. Mr. President, at this time I request unanimous consent, on behalf of Senator Rooney, who has presided over this Body in a very able manner this afternoon, and myself, to present a bill.

The PRESIDING OFFICER. Thank you for those very kind words, Senator Wade. There being no objection, you may proceed.

Messrs. WADE and ROONEY, by unanimous consent, presented to the Chair **SB 852**, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to sell and convey land situate in Derry Township, Mifflin County, Pennsylvania.

Which was committed to the Committee on State Government.

Messrs. RIPP, BERGER, WEINER and PECHAN, by unanimous consent, presented to the Chair **SB 853**, entitled:

An Act amending the act of May 28, 1937 (P. L. 1019), entitled "Statutory Construction Act" changing the effective date of appropriations and laws having appropriation items, when an effective date is not specified in the law itself.

Which was committed to the Committee on Appropriations.

PETITIONS AND REMONSTRANCES

Mr. HAYS. Mr. President and Members of the Senate, a few weeks ago, Senator Stiefel made a speech and introduced a bill which made my blood pressure go up pretty high because he proposed to move the statuary from the front of this Capitol Building. This statuary was created by a great son of Centre County; namely, George Grey Barnard. When I was just about to respond to him, he took the wind out of my sail by proposing to put in its place a statue of Governor Curtin, also from Centre County.

However, Mr. President, I could not keep the aroused sentiment, from my county, down because of this attempt. Therefore, I must bring to the attention of the Senate—and Senator Stiefel and Senator Lane, in particular—the reaction we received from some newspapers up there.

First of all, the Centre Daily Times said briefly, as follows:

"They're casting stones at Centre County's own George Grey Barnard again."

The Centre Democrat, incidentally, more or less belies its name a little and, to my knowledge, has not been too active in its support of what some of us call the Democratic Party in recent years. Nevertheless, it is a good Centre County newspaper. It relates this problem somewhat in the following fashion:

"The Civil War 100 years ago was a conflict among men. The centennial observance of it is turning out to be a conflict among statues. And Bellefonte—because of its historical heritage—is right in the middle of it.

"State Senators Israel Stiefel and William J.

Lane, both Democrats, have introduced a bill (No. 723) into the State Senate which, if passed, will 'give proper recognition to the pre-eminent part taken by Pennsylvanians in the defense of the union during the Civil War.' This would be done, according to their bill, by the State Department of Property and Supplies 'taking measures to provide for two heroic-sized bronze statues of Abraham Lincoln and Andrew Gregg Curtin' which would be placed on either side of the main entrance to the State Capitol, 'the statue of Lincoln symbolizing the principle of national unity which he upheld and the statue of Governor Curtin symbolizing Pennsylvania's constant and strong support of that principle under his able leadership.'"

The Editor stated further, as follows:

"This is a remarkable tribute by two Democratic State Senators—honoring the first Republican President of the United States and the first Republican Governor of Pennsylvania.

"But insofar as Andrew Gregg Curtin (of Bellefonte) is concerned, this is not entirely a reflection on the political acumen of Senators Stiefel and Lane, for although Curtin may have been Pennsylvania's first Republican governor, alas, he died a Democrat. This removes all charges of 'political favoritism' as to which 'party' is going to be honored with statues at the entrance to the State Capitol.

"Even with the removal of the Barnard statuary, there is still the problem of getting the \$50,000 to buy the Lincoln-Curtin statues.

"However, that problem can be solved thusly: Bring the Barnard statuary back to Centre County—birthplace of the sculptor. Replace it at the Capitol entrance with Barnard's statue of Lincoln, which now reposes at Cincinnati.

"This leaves the question of where the Senators can get the statue of Curtin. Bellefonte has a statue of him on its 'Diamond.' He cost \$40,000 at the going value of a dollar in 1906. At today's 'inflated' monetary rate, he could, herefore, bring \$80,000. If this does not appeal to the pocketbook of the State Treasury, the Commonwealth may be able to negotiate with the Vicksburg, Mississippi battlefield site and purchase its bust of Curtin which reposes there as part of the memorial to Pennsylvania troops who fought there in 1863."

Mr. President, I hope the committee which is considering this bill will take these remarks into consideration, also.

Mr. STIEFEL. Mr. President, the Scranton Times published an interesting article, giving the background of this statuary. I do not have the clipping, but next week I will bring it along and I will present it to the Senate.

I am fully in support of the idea of shipping this statuary to Bellefonte, if they want it, provided it does not stand in the entrance of the State Capitol. I can hardly perceive the significance or the connection between the State Capitol of Pennsylvania and this group in marble, which costs thousands of dollars to repair from year to year. I mean, it does not tell any story. After all, when we see, year in and year out, thousands upon thousands of youngsters coming into the State Capitol to visit and to enjoy its magnificence, I just wonder what passes in the minds of these youngsters when they look at this statuary and do not even know the meaning of it.

I have nothing against Barnard. He was a great man, a great sculptor, and a great son of Bellefonte. I am fully in accord with the idea of shipping it to even east of the

Suez. However, since it is a distance to east of the Suez, let it go to Bellefonte.

If Senator Hays will join me, I will be glad to sponsor a measure which would present to the people of Bellefonte the statuary which is now in front of the State Capitol.

Mr. LANE. Mr. President, I would like to inform my good friend, Senator Hays, on this one point. We—Senator Stiefel and myself—feel that although Abraham Lincoln was a great Republican President, should he be living today we are quite sure that he would be a very prominent Democrat. The same goes for Governor Curtin, because we feel that both of them were great liberals and the Democratic Party stands for liberalism. We are adopting Governor Curtin and Abraham Lincoln as members of our Party.

Mr. WEINER. Mr. President, I just wanted to point out, as was mentioned here today, there was a bill submitted on reapportionment. This is a very difficult subject to deal with as everyone has his own ideas and own impressions about this.

For example, here in the Senate, the Members from Philadelphia are limited by the Constitution to eight Members, despite the fact that there are over two and one-half million people living in the city of Philadelphia. In the Congress, you do not have that situation. The Congress is open to whatever the magic number happens to be, whether it be two hundred and fifty thousand or three hundred and some thousand.

Each person can introduce a bill, and I am sure that from the fifty Members here, we would get fifty bills on reapportionment and everyone would be favorable or, at least, deal with their own district.

Unfortunately, the legislatures today—not only the Pennsylvania Legislature, but in the national assembly in Congress—are made up primarily of persons who come from the rural areas. This has always augured ill for the people who come from the big cities. It has taken the city of Philadelphia, for example, fifty or sixty years to cover ground which should have been covered within five or ten years.

It just happened by an accident of birth that I, for example, was born in the city of Philadelphia, and other Members here happen to come from areas that are less populated. This could have happened to anyone here. For this reason, the cities throughout this Country have suffered. As a matter of fact, one or two of the large cities are bankrupt today because of not only the poor treatment they have received at the hands of the State Legislature, but because of the poor treatment and lack of understanding at the National level as well.

It is not for any selfish reasons that we particularly want to keep the membership from the city the same. Take, for example, the city of Pittsburgh and the majority that the Democratic Party holds in this city, and yet they end up with two Republicans and two Democrats. Perhaps that is as it should be. However, the vote would not bear that out.

When you get into this area of reapportioning the Congress,—and we must, the way things stand at the moment, lose three Congressmen from the State of Pennsylvania—it is very difficult to solve this problem. A solution which has been suggested is that possibly we could have Twenty-six Districts set up with the divi-

sion made there, and have the Twenty-seventh District vote at-large. That might be a solution to the problem, but you do get into a political situation because neither Party wants to give up the position that it now holds or the areas it now serves. One of the biggest problems is that you sometimes have, as a junior member, someone who is well-qualified to speak for his Party, who well represents them, and you hate to lose him.

This is a problem that we will deal with. I am sure it will not be within this very week, but it will probably be in the coming weeks of this Session of the Legislature. This is one of the areas in which we have not completed our work and I am sure that we will. I am sure the bill that was introduced today is fair and tries to deal with the problem, from the point of view of the people who presented it, and to present a fair picture. It is not going to be easy, and it is not a problem of simple solution where you punish one area, or make weight, and give further ammunition or people to the other area.

The State of Pennsylvania, unfortunately, is increasing at a decreasing rate. Therefore, the cities and the areas are suffering. Take, for example, an area like Luzerne County, just to name one. There are statistics, which I saw very recently, showing that the city of Wilkes-Barre has lost 40,000 people in a ten-year period. I am sure the same story can be repeated over and over again. I can name Lackawanna County, Greene County, and some of the other areas where the mining industry has lost some of its place.

I would like to bring to the attention of all of the Members, not only of the Senate but of the General Assembly, that we tread cautiously and that we try to decide this thing not from a political basis or with bias because one-fifth of the population happens to live in the city of Philadelphia. If you will look at the tax picture, you will see that a great deal of the money that is dispensed by this State—and all that the Governor does in any Administration, whether it be Democratic or Republican, is to dispense the money that comes to him, as revolving funds are dispensed. For example, one-half of the tax dollar is spent on education. Therefore, we had better tread easy, and make sure that the people who are going to Washington to represent the State at the National level are people who have in mind the interest of not only the State, but of some of the heavily populated areas as well because if they suffer, we will all suffer and the State will receive that much less. We will then have to tax our own citizens to again supply these funds.

We, as a State, because of the setup about which I spoke earlier, do not receive our fair share of the tax dollar that goes into Washington for the very same reason that the city of Philadelphia does not receive its fair share under the present setup or the present formulae that exist. Therefore, we had better go very carefully and make sure that our decision is not based entirely on the political situation, but more for the welfare and the understanding of all of the citizens of this State.

Mr. BERGER. Mr. President, just one brief statement, if you please, before you call for Announcements by the Secretary. I am in complete accord with most of the remarks that were made by Senator Weiner on this knotty problem of reapportionment. It is one that has to be worked out upon the basis which is the very best that

we can find for the representation of the people of Pennsylvania in the Congress.

I do deplore, however, the emphasis that he possibly unwittingly placed upon the differences between the urban and the rural areas which, I think, have been too greatly emphasized both in the press and in public declarations. It is my opinion that we are all interested equally in the prosperity and the good of our great cities, as well as the prosperity and the good of our rural areas and our smaller cities and boroughs.

For that reason, Mr. President, I want to say here and now that we have tried, and will continue to try conscientiously, to resolve those problems which come up in legislation affecting the cities of Philadelphia, Pittsburgh, Scranton and all of them which deserve our utmost consideration. I believe this has been borne out by the consideration we have given to the Philadelphia program over the past several years. Perhaps they did not get everything they thought they should have at the hands of the Commonwealth. Nevertheless, Mr. President, I feel the problems have been considered conscientiously and resolved as nearly as possible equitably between the two divergent points of view—that of the urban and that of the rural and semi-rural areas in Pennsylvania.

ANNOUNCEMENTS BY THE SECRETARY

The following announcements were read by the Secretary of the Senate:

COMMITTEE MEETINGS—TUESDAY, JULY 11, 1961

Eastern Daylight		
Saving Time	Committee	Room
9:30 A.M.	ELECTIONS	301
10:30 A.M.	JUDICIARY GENERAL	535
11:00 A.M.	STATE GOVERNMENT	535

NOTICE—TUESDAY, JULY 11, 1961

The Committee on Local Government will continue its hearing on House Bills No. 1221 and No. 1438 on July 11, 1961, starting at 10:00 a.m. and until 1:00 p.m., Daylight Saving Time, in the Democratic Caucus Room.

ADJOURNMENT

Mr. WEINER. Mr. President, I move that the Senate do now adjourn until Tuesday, July 11, 1961, at 11:30 a.m., Eastern Standard Time.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 4:20 p.m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

MONDAY, July 10, 1961

The House met at 2 p. m., e. s. t.

The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

O Thou great Eternal God and Father of us all, it is with humble hearts and dedicated minds that we look to Thee. We pray that in our search for the desires of life we may not lose sight of the rich treasures which Thou hast to give. O God, grant to each of us the blessed peace which goes beyond the understanding of man, the assurance of Thy continued presence, and the realization that the power which Thou hast to give will enable great accomplishments for Thee as well as for our fellowmen. In Thy dear name, we pray. Amen.

JOURNAL APPROVED

The SPEAKER. Are there any corrections to the Journal of Tuesday, June 6, 1961? If not, and without objection, the Journal is approved.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Thursday, June 29, 1961, will be postponed until printed.

The Chair hears none.

BILL INTRODUCED AND REFERRED

By Messrs. POLEN and McCANN.

HOUSE BILL No. 1824.

An Act making an appropriation to the Department of Property and Supplies for the publication of the History and Roster of the Tenth Pennsylvania Volunteer Infantry.

Referred to the Committee on Rules.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos. 147, 607,
637, 966, 1408 and 1562

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg.
May 23, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 147, printer's No. 1491, entitled "An Act amending the act of July 7, 1947 (P. L. 1368), entitled 'Real Estate Tax Sale Law,' further regulating notice given to delinquent taxables."

DAVID L. LAWRENCE

July 6, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 607, printer's No. 2149, entitled "An Act amending the act of June 24, 1939

(P. L. 872), entitled 'The Penal Code,' authorizing the production and performance of drama and civic light opera between certain hours on Sundays in cities of the second class."

DAVID L. LAWRENCE

July 6, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 637, printer's No. 1837, entitled "An Act authorizing the Governor to provide for disaster relief under certain circumstances authorizing him to transfer certain funds to a special fund for that purpose and making an appropriation."

DAVID L. LAWRENCE

July 6, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 966, printer's No. 1885, entitled "An Act amending the act of April 29, 1959 (P. L. 58), entitled 'The Vehicle Code,' changing registration fees for motor buses and motor omnibuses operated by mass transportation systems."

DAVID L. LAWRENCE

July 6, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 1408, printer's No. 1698, entitled "An Act amending Section 528, Act of April 9, 1929 (P. L. 177), entitled 'The Administrative Code of 1929,' eliminating the requirement that cotton fabrics used in State institutions be flameproofed."

DAVID L. LAWRENCE

July 6, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 1562, printer's No. 1950, entitled "An Act authorizing the Commonwealth of Pennsylvania through the Department of Commerce and The Pennsylvania Industrial Development Authority to cooperate with and implement the program of the Federal Government as established by the Federal Area Redevelopment Act for economic assistance to redevelopment areas in the Commonwealth suffering from substantial and persistent unemployment and underemployment authorizing The Pennsylvania Industrial Development Authority to participate with any Federal agency in the financing of industrial development projects in redevelopment areas and authorizing The Pennsylvania Industrial Development Authority to make loans to industrial development agencies for the establishment of industrial parks in redevelopment areas and critical economic areas."

DAVID L. LAWRENCE

BILLS SIGNED BY SPEAKER ..

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 58.

An Act amending the act of November 19, 1959 (P. L. 1548), entitled "An act to provide temporary supplemental retirement benefits for certain annuitants of the Public School Employees' Retirement System . . ." extending the time for receipt of benefits and including disability annuitants and making an appropriation.

HOUSE BILL No. 59.

An Act amending the act of November 21, 1959 (P. L. 1590), entitled "An act to provide temporary supplemental retirement benefits for certain annuitants of the State Employees' Retirement System . . ." extending the time for receipt of benefits and including disability annuitants and making an appropriation.

SENATE BILL No. 522.

An Act amending the act of April 12, 1951 (P. L. 90), entitled "Liquor Code," further regulating the issuance of new hotel licenses.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 155.

An Act to validate certain proceedings for municipal improvements municipal investments municipal claims and municipal liens in the several cities of the third class boroughs and townships of this Commonwealth.

HOUSE BILL No. 360.

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), authorizing persons to bring into Pennsylvania limited amounts of untaxed liquor under limited circumstances.

HOUSE BILL No. 395.

An Act relating to the satisfaction of mortgages in counties of the second third fourth fifth sixth seventh and eighth class by the recording of a satisfaction piece, prescribing forms therefor and fixing fees for the recording thereof.

HOUSE BILL No. 735.

An Act regulating the manufacture of stuffed toys intended for sale, gift or use in Pennsylvania, providing for registration of such manufacturers, the paying of a fee for such registration, the issuance of a seal of approval to such manufacturers * * * and providing penalties.

HOUSE BILL No. 880.

An Act amending the "Banking Code," approved May 15, 1933 (P. L. 624), changing provisions governing the change of the place of business of a branch, the period of public notice for the discontinuance of a branch and the provisions relating to honorary directors, directors emeritus and members of advisory boards * * *.

HOUSE BILL No. 948.

An Act amending 'The Penal Code,' approved June 24, 1939 (P. L. 872), prohibiting the purchase acceptance receipt or possession of starter pistols or similar pistols by minors and revising exemptions under this act.

HOUSE BILL No. 1394.

An Act amending the act of May 1, 1933 (P. L. 102), entitled "A supplement to the act approved the second day of June, one thousand, nine hundred and fifteen (P. L. 762), entitled 'An act providing for the creation and administration of a State Fund for the insurance of compensation for injuries to employes of subscribers thereto

* * * " clarifying the responsibilities of the Insurance Commissioner for inspection and examination of the State Workmen's Insurance Fund changing the period for such inspection and examination and changing the title.

HOUSE BILL No. 1451.

An Act amending the act of August 5, 1932 (P. L. 45), entitled "An act empowering cities of the first and second classes to levy, assess and collect or to provide for the levying assessment and collection of certain additional taxes for general revenue purposes * * *" requiring the State Treasurer and other State officials to deduct the tax imposed by any first class city upon salaries * * * paid to officers and employes of the Commonwealth domiciled or performing services within that city * * *.

HOUSE BILL No. 1504.

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333), further regulating the time in which the court of quarter sessions shall appoint election officers of newly created election districts.

With the information that the Senate has passed the same without amendment.

SENATE MESSAGE

AMENDED SENATE BILLS CONCURRED IN BY SENATE

The clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bills numbered and entitled as follows:

SENATE BILL No. 114.

An Act reenacting and amending section 13 and Article VII of Chapter II of the act of December 15, 1959 (P. L. 1779), entitled "The Fish Law of 1959," removing the requirement that fishermen be licensed in order to fish in certain regulated fishing lakes further regulating the issuance of permits or bills of sale for fish caught in such lakes changing penalties relating to such lakes and harmonizing language of existing law.

SENATE BILL No. 115.

An Act making an appropriation to the committee appointed by the 1960 General Assembly to study the unemployment problem in Pennsylvania.

SENATE BILL No. 125.

A Joint Resolution proposing an amendment to article three of the Constitution of the Commonwealth of Pennsylvania authorizing and validating legislation establishing emergency interim government.

SENATE BILL No. 439.

An Act amending the act of March 31, 1949 (P. L. 372), entitled "The General State Authority Act of 1949," empowering the Authority to construct additions and improvements to manual training schools receiving State aid authorizing contracts to lease and leases by the Department of Public Instruction from the Authority of any additions or improvements to manual training and agricultural and industrial schools receiving State aid and furnishing and equipment thereof when used or occupied and authorizing subleases of such projects.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1650, entitled:

An Act amending "The Insurance Company Law of

1921," approved May 17, 1921 (P. L. 682), prohibiting cancellation of certain accident and sickness policies.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1811, entitled:

An Act providing for the regulation of credit life insurance and credit accident and health insurance conferring powers and imposing duties on the Insurance Commissioner and prescribing penalties.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 112, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), providing additional enforcement procedures on traffic violations in boroughs towns and townships.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 701, entitled:

An Act amending the act of April 4, 1925 (P. L. 127), entitled "An act relating to adoption" authorizing approved agencies or institutions to charge for services rendered to persons taking children into their homes for the purpose of adoption and providing for the approval of such charges by the Department of Public Welfare.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1008, entitled:

An Act amending the "State Employees Retirement Code of 1959" approved June 1, 1959 (P. L. 392), authorizing annuitants to work sixty days per year without loss of benefits under certain circumstances.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1448, entitled:

An Act amending the "Milk Control Law" approved April 28, 1937 (P. L. 417), further regulating the sale of milk on farms directly to consumers.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 472, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code" requiring a copy of the application to be sent to the police or the sheriff where the seller's place of business is located and where the buyer resides.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 525, entitled:

An Act authorizing members of any profession to organize an association to render the type of service which the members are authorized to render providing for the regulation of the association and its members and employees and imposing powers and duties on the association and its members.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 592, entitled:

An Act amending the act of June 1, 1945 (P. L. 1242), entitled "State Highway Law" providing for payment by the Commonwealth of damages occasioned by a change of width lines or grades of streets designated as State highways in cities of the second class second class A and third class.

The first section was read.

On the question,

Will the House agree to the section?

Mr. KAMYK offered the following amendment:

Amend Sec. 1 (Sec. 523), page 3, line 9, by striking out "SECOND CLASS"

It was agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the House agree to the title?

Mr. KAMYK offered the following amendment:

Amend Title, page 1, next to last line of Title, by striking out "SECOND CLASS"

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 620, entitled:

An Act amending the act of March 30, 1937 (P. L. 115), entitled "The First Class City Permanent Registration Act" increasing compensation of the chairman and other members of the registration commission.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

PERMISSION TO ADDRESS HOUSE

Mr. COMER asked and obtained unanimous consent to address the House.

Mr. Speaker, the last week we were in session there were charges made on the floor of the House by one of our members in regard to operations in the highway department.

Secretary of Highways Park Martin, has issued a statement and he has requested that I read this on the floor of the House. I quote:

On June 27, 1961 the Honorable Thomas W. King, Jr. delivered a speech in the House of Representatives, which speech was directed at the policy now in effect in the Department of Highways in reference to the use of Van Port limestone, which is found in certain counties in western Pennsylvania. On conclusion of his remarks in reference to the use of Van Port limestone, Mr. King criticized the construction of the Erie Throughway, which is limited access highway Number 90 on the Interstate System.

As part of his criticism of the construction of the Erie Throughway, Mr. King said in part, and I quote—"Also, I would suggest to Mr. Martin that he send his trusted men out into the field where millions of dollars of the taxpayers money is spent in highway construction and maintenance to investigate complaints, which I have received, concerning payoffs between State Highway inspectors and road contractors."

In concluding his remarks, Mr. King referred to an article in The Pittsburgh Press on June 26, 1961, which he said quotes Mr. Walter May of the United States Congressional Highway Investigating Committee as saying—"Throw a dart at the map of the United States; wherever it hits we can find something wrong with the road building program." He further quotes remarks made by Mr. May in regard to investigation of conditions on highway construction in the State of New Mexico.

I first discussed the matter of the use of Van Port limestone on work of the Pennsylvania Department of Highways with Mr. King, when he visited my office on May 4, 1961, accompanied by Representatives Albert McCandless and J. E. Willard, at which time Deputy Secretary and Chief Engineer Fred S. Poorman was present. At this meeting the policy of the Department was fully explained. Following this meeting, Mr. King sent a memorandum to our Departmental Laboratory posing a number of questions in reference to the use of Van Port limestone. These questions were answered in writing under date of May 11, 1961, by Mr. William Anderson of our Laboratory. The answers to the questions raised by Mr. King may be summarized by saying that he was informed that the Department of Highways permits the use of Van Port limestone in all Portland Cement concrete pavements; all Portland Cement concrete bridge decks and sub-structures; all miscellaneous concrete structures; tile under drains; sub-bases; stone and aggregate base courses; binder courses for all pre-mixed, road-mixed, mixed-in-place and penetrated bituminous surface courses; all surface treatments where the average daily traffic count is under 500; all mixed-in-place surface course and seal coats where the average daily traffic count is under 500; all penetrated surface courses where the average daily traffic is under 500. Van Port limestone, blended on a 50-50 basis with slag or crushed gravel, is permitted in all surface treatments where the average daily traffic count is over 500, and in all wearing courses and sealed coats where the average daily traffic count is over 500. Van Port limestone, at the present time, is not permitted in bituminous concrete wearing courses.

It can be seen from the foregoing that Van Port limestone is not prohibited in highway construc-

tion on State highways, but there is a limitation in its use in wearing courses. The reason for this limitation is the fact that experience has shown that Van Port limestone after a period of time polishes and becomes slippery. Natural sand is permitted in mixtures of Van Port limestone for bituminous pavement. The problem of polishing of Van Port Limestone is not new—it dates back as far as 1944 and in more recent years, starting in 1952, it has been the subject of increasing concern to the Department of Highways. In order to get a report from a qualified outside source, the Department of Highways turned to the National Crushed Stone Association, which maintains laboratories in Washington, D. C., and requested them to carry out a series of tests on the polishing characteristics of Van Port limestone in pavement surfaces. These tests have been underway for several months, and, while not concluded, all indications to date are to the effect that Van Port limestone is subject to polishing resulting in a slippery pavement under certain weather conditions and constituting a hazard to the motoring public in the Department's opinion.

In addition to the research by the National Crushed Stone Association, in the fall of 1959 the Department of Highways turned to the Engineering Department of The Pennsylvania State University to make road tests with their skid testing machine on certain State Highways where Van Port limestone had been used in the surface course. Nineteen such tests were made by the Engineering Department of the University, and all have proven that polishing does take place resulting in slippery conditions. Until some method is developed which can insure the use of Van Port limestone in the wearing surface of roads with a volume of more than 500 cars per day, the Department of Highways has felt it necessary to restrict its use on that type of highway. The Department regrets that it has been necessary to impose this limitation on the use of Van Port limestone, as it is as much to the interest of the Department of Highways to have a good source of supply of limestone in the western part of the State, as it is to the producers of limestone to have it used. The Department of Highways feels its first obligation is to the motoring public to build highways that will have the maximum degree of safety from the danger of skidding.

It can be seen from the foregoing, that the limitation of use of Van Port limestone is not a broad sweeping limitation, but only a restriction on certain categories of highway surfaces.

From the use of Van Port limestone, Mr. King then reaches into Erie County to criticize the construction of the Erie Throughway—Interstate Route 90. The history of the Erie Throughway dates back prior to 1956, when it was first designed by the Pennsylvania Turnpike Commission as a toll facility. Following the passage of the Act of Congress creating the system of Interstate and Defense Highways in August of 1956, this project was taken over by the Department of Highways and plans were then readjusted for its construction as a toll-free limited access highway. First contracts were awarded in 1957 and all contracts with the exception of those for paved shoulders were let by the end of 1958. Thus the project was in construction prior to this Administration.

Erie County and adjoining counties in northwestern Pennsylvania have a long history of unstable soil conditions. This has been evidenced for many years by the large number of spring break-ups in highways after a winter season. There is a considerable amount of blue clay, which when dry is quite stable, but when wet it becomes very unstable. The region in question has also a granu-

lar soil, which in road construction may be difficult to compact. I am informed by those in the Department who have been connected with the construction of the Erie Throughway, that from the beginning they have experienced severe soil problems. Much unsuitable material has been removed and replaced by material brought in from borrow pits. There has not been any cave-in as alleged by Mr. King. There has been some minor pavement settlements at certain points, none of which are of a serious nature. The Department anticipates that due to the soil conditions, it will have a maintenance problem for a few years until the soil has become stabilized.

When this project started, it was designed to have stabilized granular shoulders. However, due to the poor soil conditions, in 1959 with the agreement of the Bureau of Public Roads to participate in the cost on a 90-10 basis, 46 miles of the Erie Throughway were changed to have paved shoulders. When the contract was awarded to convert to paved shoulders, due to the use of machines to process the base course, it was found more advantageous to remove the existing barrier. The barrier was replaced when the paved shoulders were completed at no extra cost. This probably accounts for Mr. King's statement in reference to the removal of the guard rail to build new shoulders or berms.

Mr. King states that "there is evidence of poorly built highways where the shoulders were built with boulders instead of approved base materials." There is absolutely no evidence of the use of boulders at any time in the construction of the shoulders of the Erie Throughway. A boulder is defined by Webster's Dictionary as "A piece of rock larger than a cobblestone." Material was brought in for the construction of the earth shoulders in which a few stones, probably three or four inches in thickness, have been found.

The most serious allegation made by Mr. King is the one I quoted in the beginning of this statement, and which I wish to emphasize by repeating again—"Also, I would suggest to Mr. Martin that he send his trusted men out into the field where millions of dollars of the taxpayers money is spent in highway construction and maintenance to investigate complaints, which I have received, concerning payoffs between State Highway inspectors and road contractors."

Almost immediately after Mr. King completed his speech, the Attorney General sent an investigator from the Department of Justice to interview Mr. King to obtain from him what information he had in support of this statement and to ask for the names of the contractors or inspectors who might have been involved in the so-called payoffs referred to by Mr. King in order that an investigation could be launched. I am informed by the Department of Justice, that Mr. King was unable to or did not choose to give specific information which would assist the Department of Justice to investigate this allegation.

On the morning of June 28th following Mr. King's speech, I wrote to the Attorney General and asked that the allegations be investigated by the Justice Department. The State Police on June 30th were directed to interview Mr. King, again requesting him to supply any information he had as to this allegation. I am informed that two representatives of the State Police visited Mr. King on July 1st, and again he would disclose no evidence, nor could he or would he give them any leads to help them investigate this allegation, beyond the suggestion that the Highways Department subpoena all contractors who had worked on the Erie Throughway. Unsupported allegations of the type made by Mr. King, impugning the honesty, not only of the contractors, but of the

inspectors of the Department of Highways, are harmful to the name of the Department of Highways, to the State of Pennsylvania, and also to the morale of the Department's employees. To the best of my knowledge, the Erie Throughway has been built according to specifications.

Unless Mr. King is willing to substantiate his statements or to disclose the course of his alleged information, he should retract them publicly on the floor of the Legislature. This is the honorable course to follow.

In Mr. King's reference to statements made by Mr. May of the Congressional Highway Investigating Committee relative to New Mexico, it can only be assumed that this type of reference by Mr. King is to place this Department under the same cloud that exists over three or four State Departments of Highways where some misconduct has been exposed by the Committee. Otherwise, why did Mr. King go so far afield? If the purpose is to intimidate the Department of Highways so it will change its policy on the use of Van Port limestone, it is necessary for me to inform Mr. King that we will not be coerced into changing our policy. When we are satisfied that we can use Van Port limestone without restriction and at the same time protect the interest of the motoring public, then we will do so.

It has been my purpose as Secretary of Highways, consistent with the policy of Governor Lawrence, to insist upon honesty in the Highways Department, and I can assure Mr. King and the Members of the Legislature that when there is any evidence of collusion or misconduct on the part of our employees between themselves and contractors or otherwise, that I will move immediately to correct the situation. But, by the same token, I will not stand idly by when loose, unsupported statements, which impugn the integrity and honesty of our employees are made, without rising to their defense.

I thank this honored body for permitting this statement to be read in regular assembly, and request that it be made part of the record. Copies of this statement will be available to any Member of the Legislature who requests one.

I want to thank the House, Mr. Speaker. As I said earlier, this statement was sent over to the House by the Secretary of Highways, Park Martin.

The SPEAKER. The Chair would suggest that all departments, heads of all departments, having communications which they desire to address to the members of the House, send them to the Speaker.

The Chair recognizes the majority leader.

Mr. McCANN. Mr. Speaker, I would request permission to start today's voting by turning to page 17, bills on third reading, and I call up House bill 108 for the purpose of amendment.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 108, entitled:

An Act permitting certain ambulances fire apparatus rescue vehicles and other emergency vehicles to pass over turnpikes toll roads and toll bridges without paying tolls providing for reimbursement by the Commonwealth in lieu of such tolls imposing duties upon the Secretary of Highways and providing penalties.

On the question,

Will the House agree to the bill on third reading?

Mr. GALLAGHER asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the clerk for information.

Amend Title, page 1, last line of Title, by inserting after "Highways": making an appropriation

Amend Bill, page 2, by inserting after line 20:

Section 4. The sum of ten thousand dollars (\$10,000), or as much thereof as may be necessary, is appropriated out of the General Fund to the Department of Highways for the purpose of paying the reimbursements of tolls provided for in this act.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill together with the amendments be recommitted to the Committee on Appropriations.

On the question,

Will the House agree to the motion?

The SPEAKER. The Chair recognizes the minority leader.

Mr. A. W. JOHNSON. Mr. Speaker, if the motion is to send the bill with the amendments without our accepting or adopting the amendments now, that is all right with me, that is, on this side.

As I understand the amendments, it will take \$10,000 out of the general fund for the free passage of vehicles on the turnpike to reimburse the turnpike, and it is very questionable whether that ought to be done. I think the Appropriations Committee should be allowed to discuss these amendments before they are included in this bill.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 313, entitled:

An Act amending the "Soil Conservation Law" approved May 15, 1945 (P. L. 547), imposing powers and duties on the commission * * * and making editorial corrections.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Rules.

The motion was agreed to.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Dougherty for Mr. MIHM for the week because of illness.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 971, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), limiting the prohibition against any penalty for speed contests and drag races and reducing penalties.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. IRVIS. Mr. Speaker, House bill 971, on which we are now about to vote, makes a significant change in the anti-drag-racing bill which was passed by this House and was signed into law on January 8, 1960.

This bill, Mr. Speaker, would change the established misdemeanor of drag racing to become a mere summary procedure. This bill, Mr. Speaker, would change the fine which this House established from \$100 to \$500 to a fine of no more than \$100. Moreover, this bill would diminish the criminal penalty assigned to this misdemeanor from a maximum of three years to a maximum of merely 30 days.

I rise, therefore, Mr. Speaker, in total opposition to House bill 971. I come from Pittsburgh, where we have had, in the last several years, a serious problem in handling the youngsters who think that automobiles are high-powered and fascinating toys to be used as racing vehicles on the highways of this Commonwealth.

I speak not only for myself before this microphone, Mr. Speaker, but I have been in communication with the heads of the government of the city of Pittsburgh, specifically, the Director of Public Safety, whose job it is to guard the health and welfare of the citizens of Pittsburgh. I am informed by him, Mr. Speaker, that on one of those bridges, a brand new bridge, recently asphalted to eight lanes, the police have had to make a minimum of 20 arrests, in the past year, of youngsters who have utilized this public bridge as a drag-racing strip. We have had a number of serious accidents. We have even had two or three deaths which were possibly attributable to drag-racing procedures on the part of our young people.

After this House and the other house and after the Governor signed into law this law which we are now asked to amend, we were able, in Pittsburgh, to diminish the problem of drag racing, because we were able to punish severely those people who were found to be indulging in it. Mr. Speaker, if we now weaken the established law we bind the hands of our peace officials. We say to those irresponsible motorists, both young and old, you may go ahead and race your motor vehicles on our highways and destroy life and property, and the only thing we shall do to you is possibly take you before a magistrate in a summary procedure, fine you up to \$100, and maybe give you 30 days.

I ask, Mr. Speaker, that every member of this House of Representatives who values the life of his children, of his wife, and of himself, vote against this measure today.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Hartley.

Mr. HARTLEY. Mr. Speaker, it is not a question of drag racing. No one wants to take away any powers the police have with the enforcing of drag racing, but this interpretation of drag racing has never been established.

Here in Philadelphia we have traffic problems of drag racing where old men are drag racing. Now this is not quite true. They do not know they are in a drag race.

They can be picked up between one red light and another and we have interpretations all over the field.

This is why I feel at this time this bill should be changed. We have had all kinds of people, even people who should have been arrested for drag racing and no speed limit attached to the prosecution. If we could get an interpretation or the police could get one we would be in fairly good shape. We are not trying to do away with the drag-race bill. We are trying to interpret it, what it should be and how it should be enforced. I ask everybody to vote for this bill.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Doughten.

Mr. DOUGHTEN. Mr. Speaker, the present act regulating drag racing has some ambiguity.

In the first place, drag racing has never been defined and, in the second place, while it does in some of its language talk about a racing contest, it also could be applied to just one person competing against his own speed record.

I have no argument against the purposes of the existing law, but from my observation of its enforcement in Philadelphia, I find that the police are arresting people who are starting from a traffic signal and accusing them of drag racing. Now we find it is a very serious offense to be charged with because it is indictable. It is a misdemeanor and it puts too big a weapon in the hands of, say, a rookie policeman to arrest people who are leaving a traffic light, a stop sign, and arrest them for drag racing.

Now that has been happening in Philadelphia, and good citizens who lead unblemished lives have found themselves indicted with a criminal record. I have discussed this matter with the district attorney in Philadelphia and, while he likes the law the way it is as far as being a misdemeanor, he does think the overall law should be amended so that an indictment would state that first an attempt was made to arrest two people who are participating in a contest. There must be two people involved in this drag racing.

So I say, under the circumstances where innocent men can be indicted, we should change that law for the time being until we come up with a better act.

In the interim, I ask all people on both sides of the aisle here to change this pernicious piece of legislation and vote for this bill.

The SPEAKER. The Chair recognizes the gentleman from Fayette, Mr. Kornick.

Mr. KORNICK. Mr. Speaker, being one of the co-sponsors of this drag-racing bill last session, I must rise and ask you to oppose this bill.

As far as my county is concerned, we found out that drag racing has been deterrent to drag racers. It has been very effective. No motorist has been abused by any police officer or by the courts.

Therefore, I ask each and every member on both sides of the House to vote against this bill.

The SPEAKER. The Chair recognizes the gentleman from Erie, Mr. O'Dell.

Mr. O'DELL. Mr. Speaker, a great many members of the House follow "Li'l Abner" in the comic paper. Occasionally the rather dominant figure of "General Bull Moose" is in the paper. And he always makes the statement, "What's good for General Bull Moose is good for the U. S. A." Well, it seems to the other 66 counties in

Pennsylvania that Philadelphia County feels that what's good for Philadelphia is good for the rest of the Commonwealth.

I remember last year voting for this drag-race bill and I want to say, and I think my two colleagues from Erie City will agree with me, that this bill has cut down to a considerable extent the drag racing on the main drag of our city. From 12 o'clock on at night, it was almost impossible to cross the street because these young "punks" were out drag racing. Practically once or twice a month there have been arrests this past year and drag racing has almost become a thing of the past in Erie. And I cannot see why the other 66 counties should have to suffer because the police in Philadelphia are not competent, or do not want to be competent, to enforce this drag-racing bill the way it should be enforced.

I ask all the members on both sides of the House to vote against the bill.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. McCormack.

Mr. McCORMACK. Mr. Speaker, may I interrogate one of the sponsors of this bill, Mr. Doughten?

The SPEAKER. Will the gentleman from Philadelphia, Mr. Doughten, permit himself to be interrogated?

Mr. DOUGHTEN. I shall, Mr. Speaker.

Mr. McCORMACK. Mr. Speaker, I want to make sure that I understand the gentleman's amendments. Now take a situation where I am operating a motor vehicle and have stopped for the light and there is a car next to me. I take off from a stopped position at a normal rate of speed, having no intention of engaging in a drag race or speed contest with the car opposite me, but the car opposite me decides that he wants to race, nevertheless, and he takes off at a greater acceleration. Now in that instance, inasmuch as I did not participate in this speed contest, your amendment, as I understand it, would not make it a violation of the Vehicle Code. Is that correct?

Mr. DOUGHTEN. That is correct.

Mr. McCORMACK. Well, Mr. Speaker, what is the necessity that two persons be involved?

Mr. DOUGHTEN. Wait a minute. Maybe I misunderstood the gentleman's question. Repeat that last question, if you will. I went along with you all the way until the end but I am afraid I came up with the wrong end of the hook.

Mr. McCORMACK. Mr. Speaker, would the gentleman want me to restate that question?

Mr. DOUGHTEN. Not the whole thing, just the question at the end.

Mr. McCORMACK. My question is, what is the reason why it is necessary that two persons be involved in a contest before one of those persons is in violation of the Vehicle Code? Why must there be two?

Mr. DOUGHTEN. The act itself talks about speed contests in the existing law. Then in the second place, in answer to the gentleman's hypothetical question, where one party is innocent and the other party wants to race, both parties could be arrested, and I have discussed this matter with the assistant district attorney of Philadelphia, Mr. Arlen Spector, and posed to him the same hypothetical question. He said both had been arrested, are being arrested, but they usually sort them out before the matter goes to the grand jury. And I told him I was not very well pleased with such a solution.

Mr. McCORMACK. No further interrogation.

Mr. Speaker, I would like very briefly to speak in opposition to this amendment.

As I recall it, this is part of the Governor's highway safety program and it received a substantial majority of votes when we originally enacted this bill.

Now, in order for us to justify reducing the penalty or restricting the definition, I think it is incumbent upon the sponsors of this amendment to come forth and to give us specific cases where there have been injustices perpetrated as a result of the present law. I have heard statements made that there was some unfairness, that there were arrests made that were not proper, but I have heard of no specific cases documented that would justify us to adopt an amendment such as this.

This bill was debated lengthily on the floor when it came up for passage in the 1959 session and it was agreed by the majority that it was a good bill. Now unless you can document the cases where injustices have been perpetrated that would justify our changing or reducing the penalty involved, I think that this is a bad amendment to the present law and we should, therefore, vote against it.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Capitolo.

Mr. CAPITOLO. Mr. Speaker, I do not want to get into any controversy with my good friend, the Honorable Mr. Kornick, or anyone who is against this bill, but I have a concrete example that happened to a real personal friend of mine, who has a heart condition and is fifty years old. He was waiting for the light to turn and there was another car beside him. So, when the light turned green he started out and this other car started out speeding, you know, sort of fast. So a policeman stopped him about a block away, pulled him over and said, "I am arresting you both for drag racing." So the fellow said, "How can you arrest me for drag racing when I was waiting for the light to turn?" "Well," he said, "I saw this young fellow racing out and you must have been racing with him."

Anyhow, they were arrested; they were brought to city hall to be fingerprinted and photographed, and the next morning the case was brought before a magistrate. Of course he had a chance in court to explain to the magistrate that he was not drag racing. In fact, they had no other alternative but to hold him for court.

This bill would eliminate that; it would give the magistrate the alternative to fine him and not hold him for Court.

The SPEAKER. The Chair recognizes the gentleman from Delaware, Mr. Isaacs.

Mr. ISAACS. I would like to debate the bill, Mr. Speaker.

Mr. Speaker, apropos to the remarks of the gentleman from Philadelphia, Mr. McCormack, this bill was debated at length on the floor in the 1959 session and I, personally, brought out on the floor of the House in the 1959 session just exactly what would happen if this bill passed. That is the situation which has developed in Philadelphia and which is being brought to light here today. The bill was loosely written. I do not believe that drag racing was defined. It was a bad bill as it was enacted, and I intend to support the measure before the House today.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Hartley.

Mr. HARTLEY. Mr. Speaker, I would like to pinpoint a case in which I was involved, but I was not arrested.

We happened to be working on the river on a boat, at eleven-thirty one night, and when we were going home, we stopped to have something to eat. On the way home one of my boys went one way, and I went the other. He lives at 8th Street on Erie Avenue. It just so happened that when I got home I got a phone call that my son had already been arrested. I said, "What for?" He said, "Drag racing." I said, "Is he crazy?" He said, "No, he is not crazy. He said I was drag racing." I said, "Was there another fellow arrested too?" He said, "No."

This is what came about in court. There was no other person arrested; there were not two people drag racing; but this is what happened. At two o'clock in the morning I finally ended up going the bail, because I had to get him out of jail, get a copy of the charge. They handcuffed him and took him down, put him in jail, fingerprinted and mugged him. Think how they take these boys, and this is not a boy, this is a twenty-eight-year old who drives a truck for a living; he does not need to drag race. But, however, this is what happens to some people. So, what happens? We get home at three o'clock in the morning.

The next day you are held for bail, you have a record, you have a police record.

Now, what are you going to do, have a police record on people who are innocent? This is a case of an innocent man with a police record. I am going to ask you to vote for this bill. Vote to keep it as it is and they will still pay \$100 fine and spend thirty days in jail and still lose their license. What more penalty do you want? You do not want to hang them.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—43

Anderson, J. H.,	Gelfand,	Mullen,	Scarcelli,
Anderson, S. A.,	Hankins,	Murphy,	Shelton,
Arlene,	Isaacs,	Murray,	Sherman,
Branca,	Jones,	O'Donnell, J. A.,	Sullivan, J. A.,
Cianfrani,	Kelly,	O'Donnell, J. P.,	Sullivan, T. F.,
Comer,	Kernaghan,	Odorisio,	Taylor,
Dengler,	Lawson,	Parlante,	Williams, A. D.,
Dougherty,	Limper,	Pashley,	Worley,
Doughten,	Lippincott,	Piper,	Yetter,
Ellberg,	McKeever,	Riley,	Andrews,
Flynn,	Monroe,	Rubin,	Speaker

NAYS—155

Ashton,	Gibb,	Kramer,	Reidenbach,
Auker,	Gibbons,	Lamb,	Renwick,
Bachman,	Goldstein, J. H.,	Lee, A. M.,	Rovanssek,
Backenstoe,	Goldstein, M. H.,	Lee, K. B.,	Royer,
Blair,	Goodrich,	Leonard,	Rutherford,
Boles,	Gramlich,	Long, Wm. Jas.,	Schaaf,
Bonner,	Gray,	Long, Wm. Jos.,	Schuster,
Bossert,	Greenlee,	Lutty,	Seltzer,
Bower,	Gremminger,	Magee,	Shupnik,
Bowman,	Gross,	Manbeck,	Simmons,
Breth,	Guesman,	Markley,	Slack,
Buchanan,	Guthrie,	Marsh,	Snare,
Bush,	Hamilton,	May,	Stank,
Capano,	Hartley,	Maxwell,	Steckel,
Capitolo,	Haudensfield,	McCandless,	Stimmel,
Cioffi,	Heavey,	McCann,	Stittler,

Clarke, Cooley, Crossin, Davis, Dennison, Donaldson, Down, Edwards, Elvey, Eshback, Eshleman, Esler, Ewing, Farabaugh, Fetterolf, Filo, Foerster, Foor, Fox, Fulmer, Galley, Gallagher, George,	Heffner, Helm, Henzel, Hocker, Holl, Holliday, Holman, Horst, Irvis, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Kamyk, Kelser, Kessler, King, Kistler, Klein, Knecht, Kooker, Kornick, Korns,	McCormack, McDevitt, McDonald, McInroy, McLaughlin, McNally, Meholchick, Merry, Miller, Mills, Morley, Munley, Musto, Needham, O'Dell, Ogilvie, Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman,	Stone, Thompson, Tomascik, Tompkins, Trusio, Ujobai, Varner, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Whittaker, Willard, Willaredt, Wilt, Wood, Wynd, Zember, Zimmerman,
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NOT VOTING—12

Adams, Cauley, Curwood,	Fineman, Frascella, Fry,	Mihm, Perry, Rudisill,	Sakulsky, Strausser, Williams, E. S.,
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Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1001, entitled:

An Act amending "The Realty Transfer Tax Act" approved December 27, 1951 (P. L. 1742), redefining documents so as to exclude certain transfers from industrial development agencies.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1003, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), imposing powers and duties on the Department of Forests and Waters relative to parks established by political subdivisions.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1248, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), changing the provisions relating to leaves for certain State employees.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—94

Anderson, S. A., Arlene, Bachman, Boles, Bonner, Branca, Breth, Capano, Capitolo, Cianfrani, Clarke, Comer, Cooler, Crossin, Doughten, Eilberg, Farabaugh, Filo, Fineman, Flynn, Foerster, Frascella, Galley, Gallagher,	Gelfand, Gray, Greenlee, Gremminger, Guesman, Hankins, Hartley, Heavey, Irvis, Jenkins, Jim, Jones, Kelly, Kornick, Kramer, Lamb, Lawson, Leonard, Limper, Long, Wm. Jas., Long, Wm. Jos., Lutty, Maxwell, McCormack,	McDevitt, McDonald, McKeever, McLaughlin, McNally, Meholchick, Mills, Monroe, Morley, Mullen, Munley, Murphy, Murray, Musto, Needham, O'Donnell, J. A., O'Donnell, J. P., Parlante, Pashley, Polaski, Polen, Prendergast, Reibman,	Renwick, Riley, Rovanske, Rubin, Rudisill, Scarcelli, SchAAF, Schuster, Shelton, Sherman, Shupnik, Stank, Sullivan, J. A., Sullivan, T. F., Taylor, Tomascik, Trusio, Verona, Walsh, Wargo, Welsh, Yetter, Andrews, Speaker
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NAYS—106

Anderson, J. H., Ashton, Auker, Backenstoe, Blair, Bossert, Bower, Bowman, Buchanan, Bush, Cioffi, Davis, Dengler, Dennison, Donaldson, Dougherty, Down, Edwards, Elvey, Eshback, Eshleman, Esler, Ewing, Fetterolf, Foor, Fox, Fulmer,	George, Gibb, Gibbons, Goldstein, M. H., Goldstein, J. H., Goodrich, Gramlich, Gross, Guthrie, Hamilton, Haudenshield, Heffner, Helm, Henzel, Hocker, Holl, Holliday, Holman, Horst, Isaacs, Johnson, A. W., Johnson, R. P., Kelser, Kernaghan, Kessler, King, Kistler,	Klein, Knecht, Kooker, Korns, Lee, A. M., Lee, K. B., Lippincott, Magee, Manbeck, Markley, Marsh, May, McCandless, McCann, McInroy, Merry, Miller, O'Dell, Odorisio, Ogilvie, Petrosky, Piper, Price, Pursley, Reidenbach, Royer,	Rutherford, Seltzer, Simmons, Slack, Snare, Steckel, Stimmel, Stiteler, Stone, Thompson, Tompkins, Ujobai, Varner, Wall, Weidner, Wescott, Whittaker, Willard, Willaredt, Williams, A. D., Wilt, Wood, Worley, Wynd, Zember, Zimmerman,
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NOT VOTING—10

Adams, Cauley, Curwood,	Fry, Kamyk, Mihm,	Perry, Sakulsky, Strausser,	Williams, E. S.,
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Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1343, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), further regulating the imposition of penalties for operation of vehicles upon highways with tires which do not conform with requirements of the act.

On the question,

Will the House agree to the bill on third reading?

Mr. McCANN asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the clerk for information.

Amend Sec. 1 (Sec. 841), page 2, line 6 by inserting after "fabric": or which have a cut into the fabric or any knot or bulge

Amend Sec. 1 (Sec. 841), page 2, by inserting between lines 15 and 16:

The provisions of this section shall not apply to dual wheels if one tire of such set of dual wheels conforms with the safety requirements of this act.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1505, entitled:

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103), further regulating the time for preparation of the proposed budget.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Anderson, J. H.	Galley,	Lee, A. M.,	Reidenbach,
Anderson, S. A.,	Gallagher,	Lee, K. B.,	Renwick,
Arlene,	Gelfand,	Leonard,	Riley,
Ashton,	George,	Limper,	Rovansek,
Auker,	Gibb,	Lippincott,	Royer,
Bachman	Gibbons,	Long, Wm. Jas.,	Rubin,
Backenstoe,	Goldstein, J. H.,	Long, Wm. Jos.,	Rudisill,
Blair,	Goldstein, M. H.,	Lutty,	Rutherford,
Boles,	Goodrich,	Magee,	Scarcelli,
Bonner,	Gramlich,	Manbeck,	Schuster,
Bower,	Gray,	Markley,	Seltzer,
Bossert,	Greenlee,	Marsh,	Shelton,
Bowman,	Gremmlinger,	May,	Sherman,
Branca,	Gross,	Maxwell,	Shupnik,
Breth,	Guesman,	McCandless,	Simmons,
Buchanan,	Guthrie,	McCann,	Slack,
Bush,	Hamilton,	McCormack,	Snare,
Capano,	Hankins,	McDevitt,	Stank,
Capitolo,	Hartley,	McDonald,	Steckel,
Cianfrani,	Heavey,	McInroy,	Stimmel,
Cioffi,	Helm,	McKeever,	Stiteler,
Clarke,	Henzel,	McLaughlin,	Stone,
Comer,	Hocker,	McNally,	Sullivan, T. F.,
Cooley,	Holl,	Meholchick,	Taylor,
Crossin,	Holiday,	Merry,	Thompson,
Davis,	Holman,	Miller,	Tomasick,
Dengler,	Horst,	Mills,	Tompkins,
Dennison,	Irvis,	Monroe,	Trusio,
Donaldson,	Isaacs,	Morley,	Ujobai,
Dougherty,	Jenkins,	Mullen,	Varner,
Doughten,	Jim,	Munley,	Verona,
Down,	Johnson, A. W.,	Murphy,	Wall,
Edwards,	Johnson, R. P.,	Murray,	Walsh,
Ellberg,	Jones,	Musto,	Wargo,
Elvey,	Kamyk,	Needham,	Weidner,
Eshback,	Kelser,	O'Dell,	Welsh,
Eshleman,	Kelly,	O'Donnell, J. P.,	Wescott,
Esler,	Kernaghan,	Odoriso,	Whittaker,
Ewing,	Kessler,	Ogilvie,	Willard,
Farabaugh,	King,	Parlante,	Willaredt,
Fetterolf,	Kistler,	Pashley,	Williams, A. D.,
Filo,	Klein,	Petrosky,	Wilt,

Fineman,
Flynn,
Foerster,
Foor,
Fox,
Frascella,
Fulmer,

Knecht,
Kooker,
Kornick,
Korns,
Kramer,
Lamb,
Lawson,

Piper,
Polaski,
Polen,
Prendergast,
Price,
Pursley,
Reibman,

Wood,
Worley,
Wynd,
Zember,
Zimmerman,
Yetter,
Andrews,
Speaker

NAYS—4

Heffner,

O'Donnell, J. A., Schaaf,

Sullivan, J. A.,

NOT VOTING—10

Adams,
Cauley,
Curwood,

Fry,
Haudenshield,
Mihm,
Perry,
Sakulsky,
Strausser,

Williams, E. S.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1549, entitled:

An Act amending "The Military Code of 1949" approved May 27, 1949 (P. L. 1903), discontinuing restricted use of funds realized from sale of armories and providing for expenditure of remaining balance in such restricted funds.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—193

Anderson, J. H.,	George,	Limper,	Riley,
Anderson, S. A.,	Gibb,	Lippincott,	Rovansek,
Arlene,	Gibbons,	Long, Wm. Jas.,	Royer,
Ashton,	Goldstein, J. H.,	Long, Wm. Jos.,	Rubin,
Auker,	Goldstein, M. H.,	Lutty,	Rudisill,
Bachman,	Goodrich,	Magee,	Rutherford,
Backenstoe,	Gramlich,	Manbeck,	Scarcelli,
Blair,	Gray,	Markley,	Schuster,
Boles,	Greenlee,	Marsh,	Seltzer,
Bonner,	Gremmlinger,	May,	Shelton,
Bower,	Gross,	Maxwell,	Sherman,
Bowman,	Guthrie,	McDevitt,	Shupnik,
Branca,	Hamilton,	McCann,	Simmons,
Breth,	Hankins,	McCormack,	Slack,
Buchanan,	Hartley,	McDonald,	Snare,
Capano,	Heavey,	McInroy,	Stank,
Capitolo,	Haudenshield,	McKeever,	Steckel,
Cianfrani,	Heavey,	McLaughlin,	Stimmel,
Cioffi,	Helm,	McNally,	Stone,
Clarke,	Henzel,	Meholchick,	Sullivan, J. A.,
Comer,	Hocker,	Merry,	Sullivan, T. F.,
Cooley,	Holl,	Miller,	Taylor,
Crossin,	Holiday,	Mills,	Thompson,
Davis,	Holman,	Monroe,	Tomasick,
Dengler,	Horst,	Morley,	Tompkins,
Dennison,	Irvis,	Mullen,	Trusio,
Donaldson,	Isaacs,	Munley,	Ujobai,
Dougherty,	Jenkins,	Murphy,	Varner,
Doughten,	Jim,	Musto,	Verona,
Down,	Johnson, A. W.,	Needham,	Wall,
Edwards,	Johnson, R. P.,	O'Dell,	Walsh,
Ellberg,	Jones,	O'Donnell, J. A.,	Wargo,
Elvey,	Kamyk,	O'Donnell, J. P.,	Weidner,
Eshback,	Kelser,	Odoriso,	Welsh,
Eshleman,	Kelly,	Ogilvie,	Wescott,
Esler,	Kernaghan,	Parlante,	Whittaker,
Ewing,	Kessler,	Pashley,	Willard,
Farabaugh,	King,	Petrosky,	Willaredt,
Fetterolf,	Kistler,	Piper,	Williams, A. D.,
Filo,	Klein,	Polaski,	Wilt,

Foerster, Foor, Fox, Frascella, Fulmer, Galley, Gallagher, Gelfand,	Korns, Kramer, Lamb, Lawson, Lee, A. M., Lee, K. B., Leonard,	Polen, Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick,	Wood, Worley, Wynd, Yetter, Zember, Zimmerman, Andrews, Speaker
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NAYS—5

Bossert, Bush,	King,	Kistler,	Stiteler,
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NOT VOTING—12

Adams, Cauley, Ourwood,	Farabaugh, Fry, Guesman,	Mihm, Murray, Perry,	Sakulsky, Strausser, Williams, E. S.,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1604, entitled:

An Act amending the "Intangible Personal Property Tax Law" approved June 17, 1913 (P. L. 507), increasing assessments when returns are filed later than a certain date.

On the question,

Will the House agree to the bill on third reading?

Mr. TOMPKINS asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the clerk for information.

Amend Sec. 1 (Sec. 5), page 3, line 3, by striking out "fifteenth day of February" and inserting: last day for filing such return as fixed by law

Amend Sec. 1 (Sec. 5), page 3, line 7, by inserting after "assessment" provided that the penalty herein imposed shall not apply to cities and counties coextensive with each other, but whose separate penalties shall apply.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1617, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), providing for the issuance of temporary registration plates or markers for vehicles which are not to be registered in Pennsylvania and removing the requirement that application for annual registration plates must be made for such vehicles.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—195

Anderson, J. H., Anderson, S. A., Arlene, Ashton, Auker, Bachman, Backenstoe, Blair, Bonnar, Bossert, Bower, Bowman, Branca, Breth, Buchanan, Bush, Capano, Capitolo, Cianfrani, Cloff, Clarke, Comer, Cooley, Crossin, Davis, Dengler, Dennison, Donaldson, Doughten, Down, Edwards, Ellberg, Elvey, Eshback, Eshleman, Esler, Ewing, Farabaugh, Fetterolf, Filo, Flynn, Foerster, Foor, Fox, Frascella, Fulmer, Gallagher, Galley, Gelfand,	George, Gibb, Gibbons, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Gray, Greenlee, Gremminger, Gross, Guesman, McCann, McCormack, McDevitt, McDonald, McInroy, McKeever, McLaughlin, McNally, Meholchick, Merry, Miller, Mills, Monroe, Morley, Mullen, Munley, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kelser, Kelly, Kernaghan, Kessler, King, Kistler, Klein, Knecht, Kooker, Kornick, Kramer, Lamb, Lawson, Lee, A. M., Lee, K. B., Leonard,	Limper, Lippincott, Long, Wm. Jas., Long, Wm. Jos., Lutty, Magee, Manbeck, Markley, Marsh, Maxwell, May, McCandless, Guthrie, Hamilton, Hankins, Hartley, Haudenshield, Heavey, Heffner, Helm, Henzel, Hocker, Holliday, Holman, Horst, Irvie, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kelser, Kelly, Kernaghan, Kessler, King, Kistler, Klein, Knecht, Kooker, Kornick, Kramer, Lamb, Lawson, Lee, A. M., Lee, K. B., Leonard,	Riley, Rovanssek, Rubin, Rudisill, Rutherford, Scarcell, Schaaf, Schuster, Shupnik, Seltzer, Shelton, Sherman, Simmons, Slack, Snare, Stank, Steckel, Stimmel, Stiteler, Stone, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomascik, Tompkins, Trusio, Ujohal, Varner, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Whittaker, Willard, Willaredt, Williams, A. D., Wilt, Wood, Worley, Wynd, Yetter, Zember, Zimmerman, Andrews, Speaker
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NAYS—1

Holl,

NOT VOTING—14

Adams, Boles, Cauley, Curwood,	Dougherty, Fineman, Fry, Korns,	Mihm, Perry, Royer,	Sakulsky, Strausser, Williams, E. S.,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1621, entitled:

An Act amending the "Vocational Rehabilitation Act of one thousand nine hundred forty-five" approved May 22, 1945 (P. L. 849), authorizing certain persons injured by accident incurred in the course of their employment or disabled by occupational disease.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—188

Anderson, J. H.,	Gelfand,	Leonard,	Riley,
Anderson, S. A.,	George,	Limper,	Rovansek,
Arlene,	Gibb,	Long, Wm. Jas.,	Rubin,
Auker,	Gibbons,	Long, Wm. Jos.,	Rudisill,
Bachman,	Goldstein, J. H.,	Lutty,	Rutherford,
Backenstoe,	Goldstein, M. H.,	Magee,	Scarcelli,
Blair,	Goodrich,	Manbeck,	Schaaf,
Boies,	Gramlich,	Markley,	Schuster,
Bonner,	Gray,	Marsh,	Seltzer,
Bower,	Greenlee,	Maxwell,	Shelton,
Bowman,	Gremminger,	May,	Sherman,
Branca,	Gross,	McCandless,	Shupnik,
Breth,	Guesman,	McCann,	Simmons,
Buchanan,	Guthrie,	McCormack,	Slack,
Bush,	Hamilton,	McDevitt,	Snare,
Capano,	Hankins,	McDonald,	Stank,
Capitolo,	Hartley,	McInroy,	Steckel,
Cianfrani,	Haudenshield,	McKeever,	Stimmel,
Cioffi,	Heavey,	McLaughlin,	Stiteler,
Clarke,	Heffner,	McNally,	Stone,
Comer,	Helm,	Meholchick,	Sullivan, J. A.,
Cooley,	Hocker,	Merry,	Sullivan, T. F.,
Crossin,	Holliday,	Miller,	Taylor,
Davis,	Holman,	Mills,	Thompson,
Dengler,	Horst,	Monroe,	Tomasck,
Dennison,	Irvis,	Morley,	Tompkins,
Donaldson,	Isaacs,	Mullen,	Trusio,
Doughten,	Jenkins,	Munley,	Ujobai,
Down,	Jim,	Murphy,	Varner,
Edwards,	Johnson, A. W.,	Musto,	Verona,
Ellberg,	Johnson, R. P.,	Needham,	Wall,
Elvey,	Jones,	O'Donnell, J. A.,	Walsh,
Eshback,	Kamyk,	O'Donnell, J. P.,	Wargo,
Eshleman,	Kelser,	Odorisio,	Weidner,
Esler,	Kelly,	Ogilvie,	Welsh,
Ewing,	Kernaghan,	Parlante,	Wescott,
Farabaugh,	Kessler,	Pashley,	Whittaker,
Fil,	King,	Petrosky,	Willard,
Fineman,	Kistler,	Piper,	Williams, A. D.,
Flynn,	Klein,	Polaski,	Wilt,
Foerster,	Knecht,	Polen,	Wood,
Foor,	Kooker,	Prendergast,	Worley,
Fox,	Kornick,	Price,	Wynd,
Fracella,	Korns,	Pursley,	Yetter,
Fulmer,	Lawson,	Reibman,	Zemmer,
Galley,	Lee, A. M.,	Reidenbach,	Zimmerman,
Gallagher,	Lee, K. B.,	Renwick,	Andrews,

Speaker

NAYS—8

Ashton,	Fetterolf,	Holl,	O'Dell,
Bossert,	Henzel,	Lippincott,	Willaredt,

NOT VOTING—14

Adams,	Fry,	Murray,	Sakulsky,
Cauley,	Kramer,	Perry,	Strausser,
Curwood,	Lamb,	Royer,	Williams, E. S.,
Dougherty,	Mihm,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1622, entitled:

An Act amending "The Pennsylvania Workmen's Compensation Act" approved June 2, 1915 (P. L. 736), changing provisions relating to liability of employers and benefits and persons entitled thereto regulating practice and procedure changing subrogation rights providing for attendance of witnesses requiring payments into the Second Injury Reserve and Rehabilitation Fund.

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—154

Anderson, J. H.,	Gallagher,	Limper,	Reidenbach,
Anderson, S. A.,	Gelfand,	Long, Wm. Jas.,	Renwick,
Arlene,	Gibbons,	Long, Wm. Jos.,	Riley,
Auker,	Goldstein, J. H.,	Lutty,	Rovansek,
Bachman,	Goldstein, M. H.,	Magee,	Royer,
Backenstoe,	Goodrich,	Markley,	Rudisill,
Boies,	Gray,	Marsh,	Rutherford,
Bonner,	Greenlee,	May,	Scarcelli,
Bossert,	Gremminger,	Maxwell,	Schaaf,
Bower,	Gross,	McCandless,	Schuster,
Bowman,	Guesman,	McCann,	Shelton,
Branca,	Hamilton,	McCormack,	Sherman,
Breth,	Hankins,	McDevitt,	Shupnik,
Buchanan,	Hartley,	McDonald,	Slack,
Capano,	Heffner,	McKeever,	Stank,
Capitolo,	Hocker,	McLaughlin,	Steckel,
Cianfrani,	Holliday,	Meholchick,	Stimmel,
Cioffi,	Holman,	Merry,	Stone,
Clarke,	Irvis,	Miller,	Sullivan, J. A.,
Cooley,	Jenkins,	Mills,	Sullivan, T. F.,
Crossin,	Jim,	Monroe,	Taylor,
Dougherty,	Johnson, A. W.,	Morley,	Tomasck,
Doughten,	Johnson, R. P.,	Mullen,	Tompkins,
Down,	Jones,	Munley,	Trusio,
Edwards,	Kamyk,	Murphy,	Ujobai,
Ellberg,	Kelser,	Musto,	Verona,
Elvey,	Kelly,	Needham,	Wall,
Eshback,	Kessler,	O'Donnell, J. A.,	Walsh,
Eshleman,	King,	O'Donnell, J. P.,	Wargo,
Farabaugh,	Klein,	Ogilvie,	Welsh,
Filo,	Knecht,	Pashley,	Willard,
Fineman,	Kornick,	Petrosky,	Williams, A. D.,
Flynn,	Korns,	Piper,	Wood,
Foerster,	Kramer,	Polaski,	Worley,
Foor,	Lamb,	Polen,	Yetter,
Fracella,	Lawson,	Prendergast,	Zemmer,
Fox,	Lee, A. M.,	Pursley,	Zimmerman,
Fulmer,	Lee, K. B.,	Reibman,	Andrews,
Galley,	Leonard,		Speaker

NAYS—40

Ashton,	George,	Kistler,	Simmons,
Blair,	Gibb,	Kooker,	Snare,
Bush,	Gramlich,	Lippincott,	Stiteler,
Davis,	Guthrie,	Manbeck,	Thompson,
Dengler,	Haudenshield,	McInroy,	Varner,
Dennison,	Helm,	Murray,	Weidner,
Donaldson,	Henzel,	O'Dell,	Whittaker,
Esler,	Holl,	Odorisio,	Willaredt,
Ewing,	Isaacs,	Price,	Wilt,
Fetterolf,	Kernaghan,	Seltzer,	Wynd,

NOT VOTING—16

Adams,	Fry,	Mihm,	Sakulsky,
Cauley,	Heavey,	Parlante,	Strausser,
Comer,	Horst,	Perry,	Wescott,
Curwood,	McNally,	Rubin,	Williams, E. S.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1638, entitled:

An Act amending "The Pennsylvania Occupational Disease Act" approved June 21, 1939 (P. L. 566), changing provisions relating to liability of employers and benefits and persons entitled thereto regulating practice and procedure changing subrogation rights providing for attendance of witnesses and generally clarifying and changing the provisions of the act.

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—157

Adams,	Galley,	Lawson,	Polen,
Anderson, J. H.,	Gallagher,	Lee, A. M.,	Prendergast,
Anderson, S. A.,	Gelfand,	Leonard,	Pursley,
Arlene,	Gibbons,	Limper,	Reibman,
Bachman,	Goldstein, J. H.,	Long, Wm. Jas.,	Reidenbach,
Backenstoe,	Goldstein, M. H.,	Long, Wm. Jos.,	Renwick,
Bialr,	Gray,	Lutty,	Riley,
Bonner,	Greenlee,	Magee,	Rovansek,
Bossert,	Gremminger,	Markley,	Royer,
Bower,	Gross,	Marsh,	Rudisill,
Bowman,	Guesman,	Maxwell,	Rutherford,
Branca,	Guthrie,	May,	Scarcell,
Breth,	Hamilton,	McCandless,	Schaaf,
Buchanan,	Hankins,	McCann,	Schuster,
Capano,	Hartley,	McCormack,	Shelton,
Capitolo,	Heavey,	McDevitt,	Sherman,
Cianfrani,	Heffner,	McDonald,	Shupnik,
Cloff,	Hoeker,	McKeever,	Slack,
Clarke,	Holliday,	McLaughlin,	Stank,
Comer,	Holman,	McNally,	Steckel,
Cooley,	Horst,	Meholchick,	Stimmel,
Crossin,	Irvis,	Merry,	Stone,
Dengler,	Isaacs,	Miller,	Sullivan, J. A.,
Dougherty,	Jenkins,	Mills,	Sullivan, T. F.,
Doughten,	Jim,	Monroe,	Taylor,
Down,	Johnson, R. P.,	Morley,	Tomascik,
Edwards,	Jones,	Mullen,	Trusio,
Ellberg,	Kamyk,	Munley,	Ujobal,
Elvey,	Keiser,	Murphy,	Verona,
Eshback,	Kelly,	Murray,	Walsh,
Eshleman,	Kernaghan,	Musto,	Wargo,
Farabaugh,	Kessler,	O'Donnell, J. A.,	Welsh,
Filo,	King,	O'Donnell, J. P.,	Willard,
Flineman,	Klein,	Ogilvie,	Williams, A. D.,
Flynn,	Knecht,	Parlante,	Worley,
Foerster,	Kornick,	Pashley,	Yetter,
Foor,	Korns,	Petrosky,	Zemmer,
Fox,	Kramer,	Piper,	Zimmerman,
Frascella,	Lamb,	Polaski,	Andrews,
Fulmer,			Speaker

NAYS—42

Ashton,	Goodrich,	Manbeck,	Tompkins,
Auker,	Gramlich,	McInroy,	Varnier,
Bush,	Haudenshield,	O'Dell,	Wall,
Davis,	Helm,	Odorisio,	Weidner,
Dennison,	Henzel,	Price,	Wescott,
Donaldson,	Holl,	Seltzer,	Whittaker,
Esier,	Johnson, A. W.,	Simmons,	Willaredt,
Ewing,	Kistler,	Snare,	Wilt,
Fetterolf,	Kooker,	Stiteler,	Wood,
George,	Lee, K. B.,	Thompson,	Wynd,
Gibb,	Lippincott,		

NOT VOTING—11

Boies,	Fry,	Perry,	Strausser,
Caulley,	Mihm,	Rubin,	Williams, E. S.,
Curwood,	Needham,	Sakulsky,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1697, entitled:

An Act amending "The County Code" approved August 9, 1955 (P. L. 323), authorizing the creation of county historical commissions to promote places of historical interest within the county.

On the question,

Will the House agree to the bill on third reading?

Mr. GALLAGHER asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the clerk for information.

Amend Sec. 1 (Sec. 1997), page 2, line 10, by striking out "five" and inserting six

Amend Sec. 1 (Sec. 1997), page 2, line 13, by inserting after "relations" Three members shall be registered electors in the Democratic Party and three members shall be registered electors in the Republican Party.

Amend Sec. 1 (Sec. 1997), page 2, line 15, by striking out "two" and inserting three

Amend Sec. 1 (Sec. 1997), page 3, line 1, by striking out Three" and inserting and such appointment shall be of an elector registered in the same party as his predecessor. Four

Amend Sec. 1 (Sec. 1997), page 3, line 15, by inserting after "resolutions" Such employes shall be registered electors of the Democratic Party and Republican Party and shall be equally divided in number.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1790, entitled:

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333), providing for the use of different colored ballots and machine labels so as to distinguish political parties in primary elections.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER. The Chair recognizes the minority leader.

Mr. A. W. JOHNSON. Mr. Speaker, I would like to interrogate one of the sponsors of this bill.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Eilberg, permit himself to be interrogated?

Mr. EILBERG. I shall, Mr. Speaker.

Mr. A. W. JOHNSON. Mr. Speaker, this is not a question, but would the gentleman first explain the bill to the House in all of its ramifications?

Mr. EILBERG. The primary purpose of the bill, as far as I am concerned, is that a great many people in Philadelphia, at least, go into the voting machine in a primary election and do not record their vote at all. From the information I have, many people, a surprising percentage, go into the voting machine in primary election day and simply record no vote at all. Our thought is that, if the parties are identified by color, the registered voter, regardless of the party, is at least drawn to the party of his registration, so that there is a greater likelihood he will vote for candidates of his choice and of his party.

Mr. A. W. JOHNSON. Mr. Speaker, does the bill pro-

vide that as far as the voting machine is concerned the names of the candidates would be in different colors depending on which party they belong to? Is that correct?

Mr. EILBERG. The bill reads on page 4 that "in the case of the primary ballot labels they may be printed in different colored ink upon different colored material so as to distinguish the primary ballots of each party from the other." The only intention of this bill is to have one color for one party and one color for the other.

Mr. A. W. JOHNSON. This is different from the bill that Representative Cioffi had last week where he objected to registration cards being in separate colors, is that right?

Mr. EILBERG. Yes.

Mr. A. W. JOHNSON. You will have them all separate colors?

Mr. EILBERG. You are absolutely correct.

Mr. A. W. JOHNSON. Does the gentleman know how much extra it will cost the counties throughout Pennsylvania to have the ballots in different colors?

Mr. EILBERG. Mr. Speaker, I do not believe that there should be any difference in cost. The ballots now have to be printed in some color and what is proposed here is that they be printed and there should not be any additional expense.

Mr. A. W. JOHNSON. Now in counties where they use paper ballots I take it that the Democratic ballot will be one color and the Republican ballot another, is that right?

Mr. EILBERG. I would say so, but let me say also that this is a may bill, Mr. Speaker, and the county commissioners would have the authority to determine what the colors would be.

Mr. A. W. JOHNSON. Does the bill provide for different colored ballots in the general elections as well as in the primaries?

Mr. EILBERG. It does not.

Mr. A. W. JOHNSON. It only applies to primary elections?

Mr. EILBERG. That is correct.

Mr. A. W. JOHNSON. What color would be assigned to the Democratic Party and what color would be assigned to the Republican Party?

Mr. EILBERG. I will go back to the bill and I think you will find where the county board of elections will decide what colors will be assigned.

Mr. A. W. JOHNSON. I thank the gentleman.

Mr. Speaker, it seems to me that this bill is a foolish piece of legislation. I think it is ridiculous and an unnecessary cost. Really I think the people of Pennsylvania will laugh at a bill like this, and I think we should vote it down.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Eilberg.

Mr. EILBERG. Mr. Speaker, I would like to reply to the gentleman on one point. In the recent contested election in Philadelphia between Representative Greenlee and the Republican candidate Apothaker, there was great interest in the outcome of that particular election. Both parties worked furiously. In one division in that district only 50 percent of the people who came to the polls to vote actually recorded a vote. Now it is this that we are trying to overcome, Mr. Speaker; we are trying to get all the people who come to the polls to have their vote recorded.

On the question recurring,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—105

Anderson, S. A.,	Gallagher,	Maxwell,	Renwick,
Arlene,	Gelfand,	McCormack,	Riley,
Bachman,	Gray,	McDevitt,	Rovansek,
Boles,	Greenlee,	McDonald,	Rubin,
Bonner,	Gremminger,	McKeever,	Rudisill,
Branca,	Guesman,	McLaughlin,	Scarcell,
Breth,	Hamilton,	McNally,	Schaaf,
Capano,	Hankins,	Meholchick,	Schuster,
Capitolo,	Hartley,	Mills,	Seltzer,
Clanfrani,	Heavey,	Monroe,	Shelton,
Cioffi,	Irvis,	Morley,	Sherman,
Clarke,	Jim,	Mullen,	Shupnik,
Comer,	Jones,	Munley,	Snare,
Cooley,	Kamyk,	Murphy,	Stank,
Crossin,	Kelly,	Musto,	Stone,
Doughten,	Klein,	Needham,	Sullivan, J. A.,
Eilberg,	Kornick,	O'Donnell, J. A.,	Sullivan, T. F.,
Elvey,	Kramer,	O'Donnell, J. P.,	Taylor,
Eshback,	Lamb,	Parlante,	Tomasick,
Ewing,	Lawson,	Pashley,	Truslo,
Farabaugh,	Leonard,	Petrosky,	Verona,
Filo,	Limper,	Polaski,	Walsh,
Fineman,	Long, Wm. Jas.,	Polen,	Wargo,
Flynn,	Long, Wm. Jos.,	Prendergast,	Welsh,
Foerster,	Lutty,	Reibman,	Yetter,
Frascella,	Manbeck,	Reidenbach,	Andrews,
Galley,			Speaker

NAYS—95

Adams,	George,	King,	Rutherford,
Anderson, J. H.,	Gibb,	Kistler,	Simmons,
Ashton,	Gibbons,	Knecht,	Slack,
Auker,	Goldstein, J. H.,	Kooker,	Steckel,
Backenstoe,	Goldstein, M. H.,	Korns,	Stimmel,
Blair,	Goodrich,	Lee, A. M.,	Stiteler,
Bossert,	Gramlich,	Lee, K. B.,	Thompson,
Bower,	Gross,	Lippincott,	Tompkins,
Bowman,	Guthrie,	Magee,	Ujobal,
Buchanan,	Haudenshield,	Markley,	Varner,
Bush,	Heffner,	Marsh,	Wall,
Davis,	Helm,	May,	Weldner,
Dengler,	Henzel,	McCandless,	Wescott,
Dennison,	Hocker,	McCann,	Whittaker,
Donaldson,	Holl,	McInroy,	Willard,
Dougherty,	Holiday,	Merry,	Willardt,
Down,	Holman,	Miller,	Williams, A. D.,
Edwards,	Isaacs,	O'Dell,	Wilt,
Eshleman,	Jenkins,	Odrisio,	Wood,
Esler,	Johnson, A. W.,	Ogillive,	Worley,
Fetterolf,	Johnson, R. P.,	Piper,	Wynd,
Foor,	Kelser,	Price,	Zember,
Fox,	Kernaghan,	Pursley,	Zimmerman,
Fulmer,	Kessler,	Royer,	

NOT VOTING—10

Cawley,	Horst,	Perry,	Strausser,
Curwood,	Mihm,	Sakulsky,	Williams, E. S.,
Fry,	Murray,		

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1803, entitled:

An Act relating to charitable organizations requiring the registration of such organizations and regulating the solicitation of moneys and property by or on behalf of charitable organizations.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

RETIREMENT BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 341, entitled:

An Act amending the act of June 1, 1959 (P. L. 350), entitled "An act relating to the retirement of public school employes amending revising consolidating and changing the laws relating thereto" providing credit for school service for certain contributors who made additional contributions into the fund.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—194

Adams,	Gallagher,	Leonard,	Rovansek,
Anderson, J. H.,	Gelfand,	Limper,	Royer,
Anderson, S. A.,	George,	Lippincott,	Rubin,
Arlene,	Gibb,	Long, Wm. Jas.,	Rudisill,
Ashton,	Gibbons,	Long, Wm. Jos.,	Rutherford,
Auker,	Goldstein, J. H.,	Lutty,	Scarcelli,
Backenstoe,	Goldstein, M. H.,	Magee,	Schaaf,
Blair,	Goodrich,	Manbeck,	Schuster,
Boles,	Gramlich,	Markley,	Seltzer,
Bonner,	Gray,	Marsh,	Shelton,
Bossert,	Greenlee,	Maxwell,	Sherman,
Bower,	Gremminger,	May,	Shupnik,
Bowman,	Gross,	McCandless,	Simmons,
Branca,	Guesman,	McCann,	Slack,
Breth,	Guthrie,	McCormack,	Snare,
Buchanan,	Hamilton,	McDevitt,	Stank,
Bush,	Hankins,	McDonald,	Steckel,
Capano,	Hartley,	McKeever,	Stimmel,
Capitolo,	Haudenschild,	McLaughlin,	Stiteler,
Cianfrani,	Heavey,	McNally,	Stone,
Clarke,	Heffner,	Meholchick,	Sullivan, J. A.,
Comer,	Helm,	Merry,	Sullivan, T. F.,
Cooley,	Henzel,	Miller,	Taylor,
Crossin,	Hocker,	Mills,	Thompson,
Davis,	Holl,	Monroe,	Tomaschik,
Dengler,	Holliday,	Morley,	Tompkins,
Dennison,	Holman,	Mullen,	Trusio,
Donaldson,	Horst,	Munley,	Ujobai,
Dougherty,	Irviss,	Murphy,	Varner,
Doughten,	Isaacs,	Musto,	Verona,
Down,	Jenkins,	Needham,	Wall,
Edwards,	Jim,	O'Dell,	Walsh,
Elberg,	Johnson, A. W.,	O'Donnell, J. A.,	Wargo,
Elvey,	Johnson, R. P.,	Odorisio,	Weidner,
Eshback,	Kamyk,	Ogilvie,	Welsh,
Eshleman,	Kelly,	Parlante,	Wescott,
Esler,	Kernaghan,	Pashley,	Whittaker,
Ewing,	Kessler,	Petrosky,	Willard,
Farabaugh,	King,	Piper,	Willaredt,
Fetterolf,	Kistler,	Polaski,	Williams, A. D.,
Filo,	Klein,	Polen,	Wilt,
Fineman,	Knecht,	Prendergast,	Wood,
Flynn,	Kooker,	Price,	Worley,
Foerster,	Kornick,	Pursley,	Wynd,
Foor,	Korns,	Reibman,	Yetter,
Fox,	Lamb,	Reidenbach,	Zemmer,
Frascella,	Lawson,	Renwick,	Zimmerman,
Fulmer,	Lee, A. M.,	Riley,	Andrews,
Galley,	Lee, K. B.,		Speaker

NAYS—0

NOT VOTING—16

Bachman,	Fry,	McInroy,	Perry,
Cauley,	Jones,	Mihm,	Sakulsky,
Cioffi,	Keiser,	Murray,	Strausser,
Curwood,	Kramer,	O'Donnell, J. P.,	Williams, E. S.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 564, entitled:

An Act amending the act of June 1, 1959 (P. L. 392), entitled "An act relating to the retirement of State employes amending revising consolidating and changing the laws relating thereto" providing for the crediting of service in the case of certain former members of the county employes' retirement system in counties of the second class.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—194

Adams,	Gelfand,	Lee, K. B.,	Riley,
Anderson, J. H.,	George,	Leonard,	Rovansek,
Anderson, S. A.,	Gibb,	Limper,	Royer,
Arlene,	Gibbons,	Lippincott,	Rubin,
Ashton,	Goldstein, J. H.,	Long, Wm. Jas.,	Rudisill,
Auker,	Goldstein, M. H.,	Long, Wm. Jos.,	Rutherford,
Backenstoe,	Goodrich,	Lutty,	Scarcelli,
Blair,	Gramlich,	Magee,	Schaaf,
Boles,	Gray,	Manbeck,	Schuster,
Bonner,	Greenlee,	Markley,	Shelton,
Bossert,	Gremminger,	Marsh,	Sherman,
Bower,	Gross,	Maxwell,	Shupnik,
Bowman,	Guesman,	May,	Simmons,
Branca,	Guthrie,	McCandless,	Slack,
Breth,	Hamilton,	McCann,	Snare,
Buchanan,	Hankins,	McCormack,	Stank,
Bush,	Hartley,	McDevitt,	Steckel,
Capano,	Haudenschild,	McDonald,	Stimmel,
Capitolo,	Heavey,	McInroy,	Stiteler,
Cianfrani,	Heffner,	McKeever,	Stone,
Cioffi,	Helm,	McLaughlin,	Sullivan, J. A.,
Clarke,	Henzel,	McNally,	Sullivan, T. F.,
Comer,	Hocker,	Meholchick,	Taylor,
Cooley,	Holl,	Merry,	Thompson,
Crossin,	Holliday,	Miller,	Tomaschik,
Davis,	Holman,	Mills,	Tompkins,
Dennison,	Horst,	Monroe,	Trusio,
Donaldson,	Irviss,	Morley,	Ujobai,
Dougherty,	Isaacs,	Mullen,	Varner,
Doughten,	Jenkins,	Munley,	Verona,
Down,	Jim,	Murphy,	Wall,
Edwards,	Johnson, A. W.,	Musto,	Walsh,
Elberg,	Johnson, R. P.,	Needham,	Wargo,
Elvey,	Jones,	O'Dell,	Weidner,
Eshback,	Kamyk,	O'Donnell, J. A.,	Welsh,
Eshleman,	Kelly,	Odorisio,	Wescott,
Esler,	Kernaghan,	Ogilvie,	Whittaker,
Ewing,	Kessler,	Parlante,	Willard,
Farabaugh,	King,	Pashley,	Willaredt,
Fetterolf,	Kistler,	Petrosky,	Williams, A. D.,
Filo,	Klein,	Piper,	Wilt,
Fineman,	Knecht,	Polaski,	Wood,
Flynn,	Kooker,	Polen,	Worley,
Foerster,	Kornick,	Prendergast,	Wynd,
Foor,	Korns,	Price,	Yetter,
Fox,	Kramer,	Pursley,	Zemmer,
Frascella,	Lamb,	Reibman,	Zimmerman,
Fulmer,	Lawson,	Reidenbach,	Andrews,
Galley,	Lee, A. M.,		Speaker

NAYS—0

NOT VOTING—16

Bachman,	Farabaugh,	Murray,	Sakulsky,
Cauley,	Fry,	O'Donnell, J. P.,	Seltzer,
Curwood,	Keiser,	Perry,	Strausser,
Dengler,	Mihm,	Renwick,	Williams, E. S.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 565, entitled:

An Act amending the act of July 28, 1953 (P. L. 723), entitled "An act relating to counties of the second class amending revising consolidating and changing the laws relating thereto" requiring the county commissioners to make appropriations and payments to the State Employees' Retirement Fund to establish reserves on account of certain former county employees.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—193

Adams,	Gallagher,	Lee, A. M.,	Reidenbach,
Anderson, J. H.	Gelfand,	Lee, K. B.,	Renwick,
Anderson, S. A.,	George,	Leonard,	Riley,
Auker,	Gibb,	Limper,	Royce,
Ashton,	Gibbons,	Lippincott,	Rubin,
Bachman,	Goldstein, J. H.,	Long, Wm. Jas.,	Rudisill,
Backenstoe,	Goldstein, M. H.,	Long, Wm. Jos.,	Rutherford,
Blair,	Goodrich,	Lutty,	Scarcelli,
Boies,	Gramlich,	Magee,	Schaaf,
Bonner,	Gray,	Manbeck,	Schuster,
Bossert,	Greenlee,	Markley,	Seltzer,
Bower,	Gremminger,	Marsh,	Shelton,
Bowman,	Gross,	Maxwell,	Sherman,
Branca,	Guesman,	May,	Shupnik,
Breth,	Guthrie,	McCandless,	Simmons,
Buchanan,	Hankins,	McCann,	Slack,
Bush,	Hartley,	McCormack,	Snare,
Capano,	Haudenschild,	McDevitt,	Stank,
Capitolo,	Heavey,	McDonald,	Stimmel,
Cianfrani,	Heffner,	McInroy,	Stittler,
Cloffi,	Helm,	McKeever,	Sullivan, J. A.,
Clarke,	Henzel,	McLaughlin,	Sullivan, T. F.,
Comer,	Hocker,	McNally,	Taylor,
Cooley,	Holl,	Meholchick,	Thompson,
Crossin,	Holliday,	Merry,	Tomasck,
Davis,	Holman,	Miller,	Tompkins,
Dengler,	Horst,	Mills,	Trusio,
Dennison,	Irlis,	Monroe,	Ujobai,
Donaldson,	Isaacs,	Morley,	Varner,
Dougherty,	Jenkins,	Mullen,	Verona,
Doughten,	Jim,	Munley,	Wall,
Down,	Johnson, A. W.,	Murphy,	Walsh,
Edwards,	Johnson, R. P.,	Musto,	Wargo,
Ellberg,	Jones,	Needham,	Weldner,
Elvey,	Kamyk,	O'Dell,	Welsh,
Eshback,	Kelser,	O'Donnell, J. A.,	Wescott,
Eshleman,	Kelly,	Odorisio,	Whittaker,
Esler,	Kernaghan,	Ogilvie,	Willard,
Ewing,	Kessler,	Parlante,	Willaredt,
Farabaugh,	King,	Pashley,	Williams, A. D.,
Fetterolf,	Kistler,	Petrosky,	Wilt,
Filo,	Knecht,	Piper,	Wood,
Fineman,	Kooker,	Polaski,	Worley,
Flynn,	Kornick,	Polen,	Wynd,
Foerster,	Korns,	Prendergast,	Yetter,
Foor,	Kramer,	Price,	Zember,
Fox,	Lamb,	Pursley,	Zimmerman,
Fulmer,	Lawson,	Reibman,	Andrews,

Speaker

NAYS—0

NOT VOTING—17

Arlene,	Hamilton,	O'Donnell, J. P.,	Steckel,
Cauley,	Klein,	Perry,	Stone,
Curwood,	Mihm,	Rovanseck,	Strausser,
Frascella,	Murray,	Sakulsky,	Williams, E. S.,
Fry,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1081, entitled:

An Act amending the "State Employees' Retirement Code of 1959" approved June 1, 1959 (P. L. 392), providing for alternative methods of payments of benefits under certain conditions.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—198

Adams,	Galley,	Lee, K. B.,	Renwick,
Anderson, J. H.	Gallagher,	Leonard,	Riley,
Anderson, S. A.,	Gelfand,	Limper,	Rovanseck,
Arlene,	George,	Lippincott,	Royer,
Ashton,	Gibb,	Long, Wm. Jas.,	Rubin,
Auker,	Gibbons,	Long, Wm. Jos.,	Rudisill,
Bachman,	Goldstein, J. H.,	Lutty,	Rutherford,
Backenstoe,	Goldstein, M. H.,	Magee,	Scarcelli,
Blair,	Goodrich,	Manbeck,	Schaaf,
Boies,	Gramlich,	Markley,	Schuster,
Bonner,	Gray,	Marsh,	Seltzer,
Bossert,	Greenlee,	Maxwell,	Shelton,
Bower,	Gremminger,	May,	Sherman,
Bowman,	Gross,	McCandless,	Shupnik,
Branca,	Guesman,	McCann,	Simmons,
Breth,	Guthrie,	McCormack,	Slack,
Buchanan,	Hankins,	McDevitt,	Snare,
Bush,	Hartley,	McDonald,	Stank,
Capano,	Haudenschild,	McInroy,	Steckel,
Capitolo,	Heavey,	McKeever,	Stimmel,
Cianfrani,	Heffner,	McLaughlin,	Stittler,
Cloffi,	Helm,	McNally,	Sullivan, J. A.,
Clarke,	Henzel,	Meholchick,	Sullivan, T. F.,
Comer,	Hocker,	Merry,	Taylor,
Cooley,	Holl,	Miller,	Thompson,
Crossin,	Holliday,	Mills,	Tomasck,
Davis,	Holman,	Monroe,	Tompkins,
Dengler,	Horst,	Morley,	Trusio,
Dennison,	Irlis,	Mullen,	Ujobai,
Donaldson,	Isaacs,	Munley,	Varner,
Dougherty,	Jenkins,	Murphy,	Verona,
Doughten,	Jim,	Musto,	Wall,
Down,	Johnson, A. W.,	Needham,	Walsh,
Edwards,	Johnson, R. P.,	O'Dell,	Wargo,
Ellberg,	Jones,	O'Donnell, J. A.,	Weldner,
Eshback,	Kamyk,	O'Donnell, J. P.,	Welsh,
Elvey,	Kelser,	Odorisio,	Wescott,
Eshleman,	Kelly,	Ogilvie,	Whittaker,
Esler,	Kernaghan,	Parlante,	Willard,
Ewing,	Kessler,	Pashley,	Willaredt,
Farabaugh,	King,	Petrosky,	Williams, A. D.,
Fetterolf,	Kistler,	Piper,	Wilt,
Filo,	Knecht,	Polaski,	Wood,
Fineman,	Kooker,	Polen,	Worley,
Flynn,	Kornick,	Prendergast,	Wynd,
Foerster,	Korns,	Price,	Yetter,
Foor,	Kramer,	Pursley,	Zember,
Fox,	Lamb,	Reibman,	Zimmerman,
Fulmer,	Lawson,	Reidenbach,	Andrews,
Galley,	Lee, A. M.,		Speaker

NAYS—0

NOT VOTING—12

Cauley,	Hamilton,	Murray,	Stone,
Curwood,	Klein,	Perry,	Strausser,
Fry,	Mihm,	Sakulsky,	Williams, E. S.,

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1214, entitled:

An Act amending the "Public School Employees' Retirement Code of 1959" approved June 1, 1959 (P. L. 350), further defining "school employe" to include certain municipal employes and providing further for the purchase of credit for past service.

On the question,

Will the House agree to the bill on third reading?

Mr. EILBERG asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the clerk for information.

Amend Title, page 1, line 4 of title, by striking out "municipal" and inserting officials and

Amend Title, page 1, line 4 of title, by inserting after "employees" of cities of the first class

Amend Title, page 1, line 5 of title, by inserting after "service" and making an exception thereof from the provision relating to mandatory retirement

Amend Section 1 (Section 102), page 3, line 3, by striking out "municipality" and inserting city of the first class

Amend Section 1 (Section 102), page 3, line 5, by striking out "municipality" and inserting city of the first class

Amend Section 2 (Section 302), page 3, line 16, by striking out "municipality" and inserting city of the first class

Amend Section 2 (Section 302), page 4, line 2, by striking out "EFFECTIVE"

Amend Section 2 (Section 302), page 4, lines 15 to 20, page 5, lines 1 to 17, and page 6, lines 1 to 3, by striking out all of said lines and inserting upon which he became eligible for membership in the school employees' retirement system if he shall pay into the fund in addition to the regular contributions required in section 301 of this article a sum equal to the contributions which would have been collected from such contributor for such services. The contributions required to be paid for such service credits may be paid in a lump sum or by installments agreed upon by the contributor and the retirement board. The rate of contribution shall be determined on the basis of the age of the contributor as of the beginning date of the period for which such past service credit is obtained and shall remain constant thereafter. The school district employer and the Commonwealth shall pay into the fund an amount which would have been contributed on behalf of the employe for such service. All contributions shall be based only upon the annual salary received by the employe from the school district.

Section 3 Subsection (2) of section 401 of the act is amended to read

Section 401. Superannuation Retirement Allowances—

* * *

(2) Every contributor who has attained or who shall attain age seventy (70) shall be retired for super-annuation by the retirement board forthwith or at the end of the school term at which age seventy (70) is attained. Provided, however, That the provisions of this subsection (2) of section 401 shall not be applicable in the case of a contributor who as an official of a city of the first class either elected or appointive or as a subordinate of such official by statute, is required to perform services for a school district and such city of the first class concurrently and for which such school service he is paid an annual salary separately by the school district

* * *

Section 4 This act shall take effect immediately

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1251, entitled:

An Act amending the "State Employees' Retirement Code of 1959" approved June 1, 1959 (P. L. 392), further providing for the reduction of superannuation and withdrawal allowances.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—195

Adams,	Fulmer,	Lee, K. B.,	Renwick,
Anderson, J. H.	Galley,	Leonard,	Riley,
Anderson, S. A.,	Gallagher,	Limper,	Rovansek,
Arlene,	Gelfand,	Lippincott,	Royer,
Ashton,	George,	Long, Wm. Jas.,	Rubin,
Auker,	Gibb,	Long, Wm. Jos.,	Rudisill,
Bachman	Gibbons,	Lutty,	Rutherford,
Backenstoe,	Goldstein, J. H.,	Magee,	Scarcelli,
Boles,	Goldstein, M. H.,	Manbeck,	Schaaf,
Blair,	Goodrich,	Markley,	Schuster,
Bonner,	Gramlich,	Marsh,	Seltzer,
Bossert,	Gray,	Maxwell,	Shelton,
Bower,	Greenlee,	May,	Sherman,
Bowman,	Gremminger,	McCandless,	Simmons,
Branca,	Gross,	McCann,	Slack,
Breth,	Guesman,	McCormack,	Snare,
Buchanan,	Guthrie,	McDevitt,	Stank,
Bush,	Hankins,	McDonald,	Steckel,
Capano,	Hartley,	McInroy,	Stimmel,
Capitolo,	Haudenshield,	McKeever,	Stiteler,
Cianfrani,	Heavey,	McLaughlin,	Sullivan, J. A.,
Cloffi,	Hefner,	McNally,	Sullivan, T. F.,
Clarke,	Helm,	Meholchick,	Taylor,
Comer,	Henzel,	Merry,	Thompson,
Cooley,	Hocker,	Miller,	Tomasclik,
Crossin,	Holliday,	Mills,	Tompkins,
Davis,	Holman,	Monroe,	Trusio,
Dengler,	Horst,	Morley,	Ujobai,
Dennison,	Irvie,	Mullen,	Varner,
Donaldson,	Isaacs,	Munley,	Verona,
Donaherty,	Jenkins,	Murphy,	Wall,
Doughten,	Jim,	Musto,	Walsh,
Down,	Johnson, A. W.,	Needham,	Wargo,
Edwards,	Johnson, R. P.,	O'Dell,	Weidner,
Eilberg,	Jones,	O'Donnell, J. A.,	Welsh,
Elvey,	Kamyk,	O'Donnell, J. P.,	Wescott,
Eshback,	Kelser,	Odorisio,	Whittaker,
Eshleman,	Kelly,	Ogilvie,	Willard,
Eslar,	Kernaghan,	Parlante,	Willaredt,
Ewing,	Kessler,	Pashley,	Williams, A. D.,
Farabaugh,	King,	Petrosky,	Wilt,
Fetterolf,	Kistler,	Piper,	Wood,
Filo,	Knecht,	Polaski,	Worley,
Fineman,	Kooker,	Polen,	Wyad,
Flynn,	Korns,	Prendergast,	Yetter,
Foerster,	Kramer,	Price,	Zember,
Foor,	Lamb,	Pursley,	Zimmerman,
Fox,	Lawson,	Reibman,	Andrews,
Fracella,	Lee, A. M.,	Reidenbach,	Speaker

NAYS—1

Holl,

NOT VOTING—14

Cauley,
Curwood,
Fry,
Hamilton,

Klein,
Kornick,
Mihm,
Murray,

Perry,
Sakulsky,
Shupnik,

Stone,
Strausser,
Williams, E. S.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1273, entitled:

An Act amending the "State Employees' Retirement Code of 1959" approved June 1, 1959 (P. L. 392), providing a disability retirement allowance for disability incurred by officers and employees of the Pennsylvania State Police while engaging in law enforcement activities when not on active duty.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—195

Adams,
Anderson, J. H.,
Anderson, S. A.,
Arlene,
Ashton,
Auker,
Bachman,
Backenstoe,
Blair,
Boles,
Bonner,
Bossert,
Bower,
Branca,
Breth,
Buchanan,
Bush,
Capano,
Capitolo,
Cianfrani,
Cioffi,
Clarke,
Comer,
Cooley,
Crossin,
Davis,
Dengler,
Dennison,
Donaldson,
Dougherty,
Doughten,
Down,
Edwards,
Elberg,
Elvey,
Eshback,
Eshleman,
Esler,
Ewing,
Farabaugh,
Fetterolf,
Filo,
Fineman,
Flynn,
Foerster,
Foor,
Fox,
Frascella,
Fulmer,

Galley,
Gallagher,
Gelfand,
George,
Gibb,
Gibbons,
Goldstein, J. H.,
Goldstein, M. H.,
Goodrich,
Gramlich,
Gray,
Greenlee,
Gremminger,
Gross,
Guesman,
Guthrie,
Hankins,
Hartley,
Haudenshield,
Heavey,
Heffner,
Helm,
Henzel,
Hocker,
Holl,
Holliday,
Holman,
Horst,
Irviss,
Isaacs,
Jim,
Jenkins,
Johnson, A. W.,
Johnson, R. P.,
Jones,
Kamyk,
Kelser,
Kelly,
Kernaghan,
Kessler,
King,
Kistler,
Knecht,
Kooker,
Kornick,
Korns,
Kramer,
Lamb,
Lawson,

Lee, A. M.,
Lee, K. B.,
Leonard,
Limper,
Lippincott,
Long, Wm. Jas.,
Long, Wm. Jos.,
Lutty,
Magee,
Manbeck,
Markley,
Marsh,
Maxwell,
McCandless,
McCann,
McCormack,
McDevitt,
McDonald,
McInroy,
McKeever,
McLaughlin,
McNally,
Meholchick,
Merry,
Miller,
Mills,
Monroe,
Morley,
Mullen,
Munley,
Murphy,
Musto,
Needham,
O'Dell,
O'Donnell, J. A.,
O'Donnell, J. P.,
Odorisio,
Ogilvie,
Parlante,
Pashley,
Petrosky,
Piper,
Polaski,
Polen,
Prendergast,
Price,
Pursley,
Reibman,
Reidenbach,

Renwick,
Riley,
Rovanseck,
Royer,
Rubin,
Rudisill,
Rutherford,
Scarcelli,
Schuster,
Seltzer,
Shelton,
Sherman,
Shupnik,
Simmons,
Slack,
Snare,
Stank,
Steckel,
Stimmel,
Stiteler,
Sullivan, J. A.,
Sullivan, T. F.,
Taylor,
Thompson,
Tomasick,
Tompkins,
Truslo,
Ujobai,
Varner,
Verona,
Wall,
Walsh,
Wargo,
Weidner,
Welsh,
Wescott,
Whittaker,
Willard,
Willaredt,
Williams, A. D.,
Wilt,
Wood,
Wooley,
Wynd,
Yetter,
Zember,
Zimmerman,
Andrews,
Speaker

NAYS—0

NOT VOTING—15

Bowman,
Cauley,
Curwood,
Fry,

Hamilton,
Klein,
May,
Mihm,

Murray,
Perry,
Sakulsky,
SchAAF,

Stone,
Strausser,
Williams, E. S.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Mr. McCANN. Mr. Speaker, originally, House bills 1382 and 1383 were scheduled to be held over, but upon checking as to the transfer of money into the retirement fund, we find that it is covered by the present law in another section of the code and therefore these two bills do not have to be amended as was originally planned. Therefore, 1382 and 1383 are satisfactory and can be voted on and will not have to be amended in the manner that was discussed in the two caucuses.

I ask for an affirmative vote, Mr. Speaker.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1382, entitled:

An Act amending the "Public School Employees' Retirement Code of 1959" approved June 1, 1959 (P. L. 350), by further providing for optional membership.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Adams,
Anderson, J. H.,
Anderson, S. A.,
Arlene,
Ashton,
Auker,
Bachman,
Backenstoe,
Blair,
Boles,
Bonner,
Bossert,
Bower,
Bowman,
Branca,
Breth,
Buchanan,
Bush,
Capano,
Capitolo,
Cianfrani,
Cioffi,
Clarke,
Comer,
Cooley,
Crossin,
Davis,
Dengler,
Dennison,
Donaldson,
Dougherty,
Doughten,
Down,
Edwards,
Elberg,
Elvey,
Eshback,
Eshleman,
Esler,

Fulmer,
Galley,
Gallagher,
Gelfand,
George,
Gibb,
Gibbons,
Goldstein, J. H.,
Goldstein, M. H.,
Goodrich,
Gramlich,
Gray,
Greenlee,
Gremminger,
Gross,
Guesman,
Guthrie,
Hankins,
Hartley,
Haudenshield,
Heavey,
Heffner,
Helm,
Henzel,
Hooker,
Holl,
Holliday,
Holman,
Horst,
Irviss,
Isaacs,
Jenkins,
Jim,
Johnson, A. W.,
Johnson, R. P.,
Jones,
Kamyk,
Kelly,
Kernaghan,

Lee, A. M.,
Lee, K. B.,
Leonard,
Limper,
Lippincott,
Long, Wm. Jas.,
Long, Wm. Jos.,
Lutty,
Magee,
Manbeck,
Markley,
Marsh,
May,
McCandless,
McCann,
McCormack,
McDevitt,
McDonald,
McInroy,
McKeever,
McLaughlin,
McNally,
Meholchick,
Merry,
Miller,
Mills,
Monroe,
Morley,
Mullen,
Munley,
Murphy,
Musto,
Needham,
O'Dell,
O'Donnell, J. A.,
O'Donnell, J. P.,
Odorisio,
Ogilvie,
Parlante,

Renwick,
Riley,
Rovanseck,
Royer,
Rubin,
Rudisill,
Rutherford,
Scarcelli,
SchAAF,
Schuster,
Seltzer,
Shelton,
Sherman,
Shupnik,
Simmons,
Slack,
Snare,
Stank,
Steckel,
Stimmel,
Stiteler,
Sullivan, J. A.,
Sullivan, T. F.,
Taylor,
Thompson,
Tomasick,
Tompkins,
Truslo,
Ujobai,
Varner,
Verona,
Wall,
Walsh,
Wargo,
Weidner,
Welsh,
Wescott,
Whittaker,
Willard,

Ewing, Farabaugh, Fetterolf, Filo, Fineman, Flynn, Foerster, Foor, Fox, Frascella,	Kessler, King, Kistler, Knecht, Kooker, Kornick, Korns, Kramer, Lamb, Lawson,	Pashley, Petrosky, Piper, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach,	Willaredt, Williams, A. D., Wilt, Wood, Worley, Wynd, Yetter, Zember, Zimmerman, Andrews, Speaker
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NAYS—0

NOT VOTING—14

Cauley, Curwood, Fry, Hamilton,	Kelser, Klein, Maxwell, Mihm,	Murray, Perry, Sakulsky,	Stone, Strausser, Williams, E. S.,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1383, entitled:

An Act amending the "State Employees' Retirement Code of 1959" approved June 1, 1959 (P. L. 392), by changing definition of "State employee" and permitting certain members of the school employees retirement system to elect to become members.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—195

Adams, Anderson, J. H., Anderson, S. A., Arlene, Ashton, Auker, Bachman, Backenstoe, Blair, Boles, Bonner, Bossert, Bower, Bowman, Branca, Breth, Buchanan, Bush, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Davis, Dengler, Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Eilberg, Elvey, Eshback, Eshleman,	Fulmer, Galley, Gallagher, Gelfand, George, Gibb, Gibbons, Goldstein, J. H., Goodrich, Gramlich, Gray, Greenlee, Gremminger, Gross, Guesman, Guthrie, Hankins, Hartley, Haudenshield, Heavey, Heffner, Helm, Henzel, Hocker, Holl, Holliday, Holman, Horst, Irvia, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kelser, Kernaghan,	Lee, K. B., Leonard, Limper, Lippincott, Long, Wm. Jas., Long, Wm. Jos., Lutty, Magee, Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McCormack, McDevitt, McDonald, McInroy, McKeever, McLaughlin, McNally, Meholchick, Merry, Miller, Mills, Monroe, Morley, Mullen, Munley, Murphy, Musto, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie,	Riley, Rovanssek, Royer, Rubin, Rudisill, Rutherford, Scarcell, Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Slack, Snare, Stank, Steckel, Stimmel, Stiteler, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomasick, Tompkins, Trusio, Ujobai, Varner, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Whittaker, Willard,
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Esler, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Flynn, Foerster, Foor, Fox, Frascella,	Kessler, King, Kistler, Knecht, Kooker, Kornick, Korns, Kramer, Lamb, Lawson, Lee, A. M.,	Parlante, Pashley, Petrosky, Piper, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach,	Willaredt, Williams, A. D., Wilt, Wood, Worley, Wynd, Yetter, Zember, Zimmerman, Andrews, Speaker
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NAYS—0

NOT VOTING—15

Cauley, Curwood, Fry, Goldstein, M. H.,	Hamilton, Kelly, Klein, Mihm,	Murray, Perry, Renwick, Sakulsky,	Stone, Strausser, Williams, E. S.,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1384, entitled:

An Act amending the act of June 1, 1959 (P. L. 350), entitled "An act relating to the retirement of public school employees amending revising consolidating and changing the laws relating thereto" clarifying the provisions relating to the computation of allowances payable to members of the joint coverage group.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—197

Adams, Anderson, J. H., Anderson, S. A., Arlene, Ashton, Auker, Bachman, Backenstoe, Blair, Boles, Bonner, Bossert, Bower, Bowman, Branca, Breth, Buchanan, Bush, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Davis, Dengler, Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Eilberg, Elvey, Eshback, Eshleman,	Galley, Gallagher, Gelfand, George, Gibb, Gibbons, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Gray, Greenlee, Gremminger, Gross, Guesman, Guthrie, Hankins, Hartley, Haudenshield, Heavey, Heffner, Helm, Henzel, Hocker, Holl, Holliday, Holman, Horst, Irvia, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kelly, Kelser,	Lee, A. M., Lee, K. B., Leonard, Limper, Lippincott, Royer, Rubin, Rudisill, Rutherford, Scarcell, Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Slack, Snare, Stank, Steckel, Stiteler, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomasick, Tompkins, Trusio, Ujobai, Varner, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Whittaker, Willard,	Reidenbach, Renwick, Riley, Rovanssek, Royer, Rubin, Rudisill, Rutherford, Scarcell, Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Slack, Snare, Stank, Steckel, Stiteler, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomasick, Tompkins, Trusio, Ujobai, Varner, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Whittaker,
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Esler, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Flynn, Foerster, Foor, Fox, Frascella, Fulmer,	Kernaghan, Kessler, King, Kistler, Knecht, Kooker, Kornick, Korns, Kramer, Lamb, Lawson,	Ogilvie, Parlante, Pashley, Petrosky, Piper, Polaski, Polen, Prendergast, Price, Pursley, Reibman,	Willard, Willaredt, Williams, A. D., Wilt, Wood, Worley, Wynd, Yetter, Zemmer, Zimmerman, Andrews, Speaker
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NAYS—0

NOT VOTING—13

Cauley, Curwood, Fry, Hamilton,	Klein, Mihm, Murray,	Perry, Sakulsky, Stimmel,	Stone, Strausser, Williams, E. S.,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1385, entitled:

An Act amending the act of June 1, 1959 (P. L. 392), entitled "An act relating to the retirement of State employees amending revising consolidating and changing the laws relating thereto" providing credit for out-of-State service for certain contributors employed at State colleges.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

Adams, Anderson, J. H., Anderson, S. A., Arlene, Ashton, Auker, Bachman, Backenstoe, Blair, Boles, Bonner, Bossert, Bower, Bowman, Breth, Buchanan, Bush, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Davis, Dengler, Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Eilberg, Elvey, Eshback, Eshleman,	Fulmer, Galley, Gallagher, Gelfand, George, Gibb, Gibbons, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Gray, Greenlee, Gremminger, Gross, Guesman, Guthrie, Hankins, Hartley, Haudenshield, Heavey, Heffner, Helm, Henzel, Hocker, Holl, Holliday, Holman, Horst, Irvls, Isaacs, Jim, Johnson, A. W., Johnson, R. P., Kamyk, Kelser, Kelly,	Lee, A. M., Lee, K. B., Leonard, Limper, Lippincott, Long, Wm. Jos., Lutty, Magee, Manbeck, Markley, Marsh, Maxwell, McCandless, McCann, McCormack, McDevitt, McDonald, McInroy, McKeever, McLaughlin, McNally, Meholchick, Merry, Miller, Mills, Monroe, Morley, Mullen, Munley, Murphy, Musto, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Ogrisio, Ogilvie,	Riley, Rovanseck, Royer, Rubin, Rudisill, Rutherford, Scarcelll, Schaaf, Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Slack, Snare, Stank, Stimmel, Stiteler, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomasck, Tompkins, Trusio, Ujobal, Varner, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Whittaker, Willard,
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Esler, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Flynn, Foor, Foerster, Fox, Frascella,	Kernaghan, Kessler, King, Kistler, Knecht, Kooker, Kornick, Korns, Kramer, Lamb, Lawson,	Parlante, Pashley, Petrosky, Piper, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach,	Willaredt, Williams, A. D., Wilt, Wood, Worley, Wynd, Yetter, Zemmer, Zimmerman, Andrews, Speaker
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NAYS—0

NOT VOTING—19

Branca, Cauley, Curwood, Fry, Hamilton,	Jenkins, Jones, Klein, Long, Wm. Jas., May,	Mihm, Murray, Perry, Long, Wm. Jas., Sakulsky,	Steckel, Stone, Strausser, Williams, E. S.,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1386, entitled:

An Act amending the act of June 1, 1959 (P. L. 392), entitled "An act relating to the retirement of State employees amending revising consolidating and changing the laws relating thereto" clarifying the provisions relating to the computation of allowances payable to members of the joint coverage group and to the filing of applications for withdrawal allowances.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—198

Adams, Anderson, J. H., Anderson, S. A., Arlene, Ashton, Auker, Backenstoe, Blair, Boles, Bonner, Bossert, Bower, Bowman, Branca, Buchanan, Bush, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Davis, Dengler, Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Eilberg, Elvey, Eshback,	Gelfand, George, Gibb, Gibbons, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Gray, Greenlee, Gremminger, Gross, Guesman, Guthrie, Hamilton, Hankins, Hartley, Haudenshield, Heavey, Heffner, Helm, Henzel, Hocker, Holl, Holliday, Holman, Horst, Irvls, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk,	Lee, K. B., Leonard, Limper, Lippincott, Long, Wm. Jas., Long, Wm. Jcs., Lutty, Magee, Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McCormack, McDevitt, McDonald, McInroy, McKeever, McLaughlin, McNally, Meholchick, Merry, Miller, Mills, Monroe, Morley, Mullen, Munley, Murphy, Musto, Needham, O'Dell, O'Donnell, J. A.,	Renwick, Riley, Rovanseck, Royer, Rubin, Rudisill, Rutherford, Scarcelll, Schaaf, Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Slack, Snare, Stank, Steckel, Stimmel, Stiteler, Stone, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomasck, Tompkins, Trusio, Ujobal, Varner, Verona, Wall, Walsh, Wargo,
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Eshleman, Esler, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Flynn, Foor, Forester, Fox, Frascella, Fulmer, Galley, Gallagher,	Keiser, Kelly, Kernaghan, Kessler, King, Kistler, Klein, Knecht, Kooker, Kornick, Korns, Kramer, Lamb, Lawson, Lee, A. M.,	O'Donnell, J. P., Odoristo, Ogilvie, Parlante, Pashley, Petrosky, Piper, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach,	Weldner, Welsh, Wescott, Whittaker, Willard, Willaredt, Williams, A. D., Wilt, Wood, Worley, Wynd, Yetter, Zember, Andrews,
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Speaker

NAYS—0

NOT VOTING—12

Bachman, Breth, Cauley,	Curwood, Fry, Mihm,	Murray, Perry, Sakulsky,	Strausser, Williams, E. S., Zimmerman,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

The SPEAKER. The Chair requests the gentleman from Armstrong, Mr. Helm, to preside.

Mr. HELM IN THE CHAIR

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1599, entitled:

An Act amending the act of June 1, 1959 (P. L. 392), entitled "An act relating to the retirement of State employees amending revising consolidating and changing the laws relating thereto" defining superannuation retirement age for retirement of enforcement personnel of the Pennsylvania Liquor Control Board as members of Class C.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—195

Adams, Anderson, J. H., Anderson, S. A., Arlene, Ashton, Bachman, Backenstoe, Blair, Boles, Bonner, Bossert, Bower, Bowman, Branca, Breth, Buchanan, Bush, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Davis, Dengler,	Galley, Gallagher, Gelfand, George, Gibb, Gibbons, Goldstein, J. H., Goldstein, M. H., Goodrich, Greenlee, Gremminger, Gross, Guesman, Guthrie, Hamilton, Hankins, Hartley, Haudenshield, Heavy, Heffner, Helm, Henzel, Hocker, Holl, Holliday, Holman, Horst,	Lee, K. B., Leonard, Limper, Lippincott, Long, Wm. Jas., Long, Wm. Jos., Lutty, Magee, Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McCormack, McDevitt, McDonald, McInroy, McKeever, McLaughlin, McNally, Meholchick, Merry, Miller, Mills, Monroe,	Renwick, Riley, Rovanseck, Royer, Rubin, Rudisill, Rutherford, Scarcelll, Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Slack, Snare, Stank, Steckel, Stimmel, Stiteler, Stone, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomascik,
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Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Ellberg, Elvey, Eshback, Eshleman, Esler, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Flynn, Foor, Forester, Fox, Frascella, Fulmer,	Irvis, Isaacs, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Keiser, Kelly, Kernaghan, Kessler, King, Kistler, Klein, Knecht, Kooker, Kornick, Korns, Kramer, Lamb, Lawson, Lee, A. M.,	Morley, Mullen, Munley, Murphy, Musto, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odoristo, Ogilvie, Parlante, Pashley, Petrosky, Piper, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach,	Tompkins, Trusio, Ujohal, Varner, Verona, Wall, Walsh, Weidner, Welsh, Whittaker, Willard, Willaredt, Williams, A. D., Wilt, Wood, Worley, Wynd, Yetter, Zember, Zimmerman, Andrews,
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Speaker

NAYS—2

Auker,	Wargo,
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NOT VOTING—13

Cauley, Curwood, Fry, Gramlich,	Gray, Jenkins, Mihm,	Murray, Perry, Sakulsky,	Strausser, Wescott, Williams, E. S.,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1600, entitled:

An Act amending the act of April 12, 1951 (P. L. 90) known as the "Liquor Code" providing for an increase in application filing and transfer fees and for the annual transfer of certain moneys from the State Stores Fund to the State Employees' Retirement Fund.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—192

Adams, Anderson, J. H., Anderson, S. A., Arlene, Ashton, Bachman, Backenstoe, Blair, Boles, Bonner, Bossert, Bower, Branca, Breth, Buchanan, Bush, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Davis, Dengler,	Gallagher, Gelfand, George, Gibb, Gibbons, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Gray, Greenlee, Gremminger, Gross, Guesman, Guthrie, Hamilton, Hankins, Hartley, Haudenshield, Heavy, Heffner, Helm, Henzel, Hocker, Holl, Holman,	Lawson, Lee, A. M., Lee, K. B., Limper, Lippincott, Long, Wm. Jas., Long, Wm. Jos., Lutty, Magee, Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McCormack, McDevitt, McDonald, McInroy, McKeever, McLaughlin, McNally, Meholchick, Merry, Miller,	Reibman, Reidenbach, Renwick, Riley, Rovanseck, Royer, Rubin, Rudisill, Rutherford, Scarcelll, Schaafl, Schuster, Shelton, Sherman, Shupnik, Simmons, Slack, Snare, Stank, Steckel, Stimmel, Stone, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson,
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Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Ellberg, Elvey, Eshback, Eshleman, Esler, Ewing, Fetterolf, Filo, Fineman, Flynn, Foerster, Foor, Fox, Frascella, Fulmer, Galley,	Horst, Irvis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kelser, Kelly, Kernaghan, Kessler, King, Kistler, Klein, Knecht, Kooker, Kornick, Korns, Kramer, Lamb,	Mills, Monroe, Morley, Mullen, Munley, Murphy, Musto, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odoristo, Ogilvie, Parlante, Pashley, Petrosky, Piper, Polaski, Polen, Prendergast, Price, Pursley,	Tomascik, Tompkins, Trusio, Ujobal, Varner, Verona, Walsh, Wargo, Weldner, Welsh, Wescott, Whittaker, Willard, Willaredt, Williams, A. D., Wilt, Worley, Wynd, Yetter, Zember, Zimmerman, Andrews, Speaker
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NAYS—8

Auker, Bowman,	Farabaugh, Holliday,	Seltzer, Stiteler,	Wall, Wood,
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NOT VOTING—10

Cauley, Curwood, Fry,	Leonard, Mihm, Murray,	Perry, Sakulsky,	Strausser, Williams, E. S.,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1597, entitled:

An Act amending "The Insurance Company Law of 1921" approved May 17, 1921 (P. L. 682), clarifying the provisions relating to the merger or consolidation of certain domestic insurance companies and making editorial changes.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

Anderson, J. H., Anderson, S. A., Arlene, Ashton, Auker, Bachman, Backenstoe, Blair, Boles, Bonner, Bossert, Bower, Bowman, Branca, Breth, Buchanan, Bush, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Davis,	Galley, Gallagher, Gelfand, George, Gibb, Gibbons, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Gray, Greenlee, Gremminger, Gross, Guesman, Guthrie, Hamilton, Hankins, Hartley, Haudenshield, Heavey, Heffner, Helm, Henzel, Hocker, Holl,	Lawson, Lee, A. M., Lee, K. B., Leonard, Lamper, Lippincott, Long, Wm. Jas., Long, Wm. Jos., Lutty, Manbeck, Markley, Marsh, Maxwell, May, McCann, McCormack, McDevitt, McDonald, McInroy, McKeever, McLaughlin, McNally, Meholchick, Merry, Miller, Mills,	Reibman, Reidenbach, Riley, Rovanssek, Royer, Rubin, Rudisill, Rutherford, Scarcelll, Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Slack, Snare, Stank, Steckel, Stimmel, Stone, Sullivan, J. A., Sullivan, T. P., Taylor, Thompson,
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Dengler, Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Ellberg, Elvey, Esler, Eshback, Eshleman, Ewing, Fetterolf, Filo, Fineman, Flynn, Foor, Forester, Fox, Frascella, Fulmer,	Holliday, Horst, Irvis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kelser, Kelly, Kernaghan, Kessler, Kistler, Klein, Knecht, Kooker, Kornick, Korns, Kramer, Lamb,	Monroe, Morley, Mullen, Munley, Murphy, Musto, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odoristo, Ogilvie, Parlante, Pashley, Petrosky, Piper, Polaski, Polen, Prendergast, Price, Pursley,	Tomascik, Tompkins, Trusio, Ujobal, Varner, Verona, Walsh, Wargo, Weldner, Welsh, Wescott, Whittaker, Willard, Willaredt, Wilt, Wood, Wynd, Yetter, Zember, Zimmerman, Andrews, Speaker
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NAYS—10

Adams, Holman, King,	Magee, McCandless, Renwick,	Stiteler, Wall,	Williams, A. D., Worley,
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NOT VOTING—10

Cauley, Curwood, Farabaugh,	Fry, Mihm, Murray,	Perry, Sakulsky,	Strausser, Williams, E. S.,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate bill No. 104, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" granting the power to the Secretary of Highways to establish speed limits.

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE

Mr. A. D. WILLIAMS, Jr. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. A. W. JOHNSON. Mr. Speaker, I second the motion. The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Messrs. A. D. WILLIAMS, Jr. BACHMAN, HOLLIDAY, WEIDNER, Mrs. KOOKER, Messrs. KORNICK, GEORGE, McNALLY and McINROY asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Title, page 1, fourth line of Title, by inserting after "tractors" changing the permitted length of vehicles operated in combination and

Amend Bill by inserting between enacting clause and line 1:

Section 1. Subsection (c) of section 902, act of April 29, 1959 (P. L. 58), known as "The Vehicle Code," amended July 21, 1959 (P. L. 551) and October 13, 1959 (P. L. 1312), is amended to read:

Section 902. Size of Vehicles, Tractors and Loads.—

* * *

(c) No motor vehicle or tractor, except motor buses,

motor omnibuses and fire department equipment, shall exceed a total maximum length, including any load thereon, of four hundred twenty (420) inches. [excepting that a semi-trailer designed exclusively for carrying motor vehicles, may exceed such total maximum length by not more than thirty (30) inches, and excepting that semi-trailers designed exclusively for carrying livestock may exceed such total maximum length by not more than sixty (60) inches and] No semi-trailer shall exceed a total maximum length, including any load thereon, of four hundred eighty (480) inches, excepting that a refrigerating device attached to the front exterior of a semi-trailer shall be disregarded in measuring the length of the semi-trailer, if the presence or absence of such device would not affect the length of the combination of vehicles in which such semi-trailer is operated. No combination of two (2) vehicles or tractors, inclusive of load and bumpers coupled together, shall exceed a total maximum length of six hundred (600) inches. Nothing in this subsection shall prohibit the transportation by a combination of vehicles of articles impossible of dismemberment, which do not exceed seventy (70) feet.

(1) No motor vehicle or tractor, except a tractor of the first class, shall be operated upon a highway drawing, or having attached thereto, more than one (1) other vehicle: Provided, That a trailer not exceeding ten (10) feet in length may be attached to one (1) motor vehicle for the purpose of towing another vehicle requiring service, to which such trailer is also attached: And provided further, That not more than two truck tractors, empty commercial motor vehicles, or the chassis therefor, may be attached to and transported by a truck tractor, commercial motor vehicle, or the chassis therefor, if the rear wheels of the vehicles so transported are the only wheels thereof which touch the road surface and the overall length of such combination of vehicles does not exceed fifty (50) feet in length.

(2) The distance between any two (2) vehicles, or between a tractor and another vehicle, one of which is towing or drawing the other, shall not exceed fifteen (15) feet from one (1) vehicle to the other, except when the load on the towed vehicle is coupled directly to and is not more than five (5) feet from the towing vehicle. Whenever the connection consists of a chain, rope, bar or cable, there shall be displayed, upon such connection, a flag not less than twelve (12) inches in length and width. Every trailer, while being drawn upon the highway, shall be so attached to the vehicle drawing the same as to prevent the wheels of such trailer from deflecting more than six (6) inches from the path of the drawing vehicle's wheels.

* * *

Penalty.—Any person violating any of the provisions of subsection (a), (b), (c), (d) or (e) of this section, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of ten dollars (\$10.00) and costs of prosecution, and in default of the payment thereof, shall undergo imprisonment for not more than five (5) days. Such fine shall be in addition to any penalty imposed by any other section or subsection of this act.

Amend Sec. 1, page 2, line 1, by striking out "1" and inserting: 2

Amend Sec. 1, page 2, line 2, by striking out "act of April 29 1959 (P. L. 58) known as "The Vehicle Code" and inserting: of the act

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Bucks, Mr. Williams.

Mr. A. D. WILLIAMS, Jr. Mr. Speaker—

The SPEAKER pro tempore. For what purpose does the gentleman from Philadelphia, Mr. Fineman, rise?

Mr. FINEMAN. Mr. Speaker, I rise to a point of order.

The SPEAKER pro tempore. The gentleman will state it.

Mr. FINEMAN. Mr. Speaker, before I state my point or order, may I place one question to the sponsor of the amendments?

The SPEAKER pro tempore. Will the sponsor of the amendments permit himself to be interrogated?

Mr. A. D. WILLIAMS, Jr. I shall, Mr. Speaker.

Mr. FINEMAN. Mr. Speaker, are these the amendments that authorize the use of 40-foot trailers in the State of Pennsylvania?

Mr. A. D. WILLIAMS, Jr. They are, Mr. Speaker.

POINT OF ORDER

Mr. FINEMAN. Mr. Speaker, I will proceed with my point of order.

The SPEAKER pro tempore. The gentleman will state it.

Mr. FINEMAN. Mr. Speaker, my point of order is that the amendments are illegal and improper because they are in violation both of the rules of this House and of the Constitution of this State.

Rule 57 of this House says:

"No bill shall be amended so as to change its original purpose.

"No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment.

"Any member may move to amend a bill or resolution, provided the proposed amendment is germane to the subject."

I respectfully submit that on all three counts this amendment is illegal and improper.

The bill that is being amended is a bill that deals exclusively with speed limits. The amendment that is being offered is an amendment that has no correlation, no relationship, no connection whatsoever with speed limits and deals with the length of tractor-trailers on the highways of this Commonwealth. Therefore, the amendment, (1) changes the original purpose of this bill, which is to establish speed limits; (2) the amendment is on a subject that is completely different than that contained in the bill that is before us; and (3) the amendment is not germane to the subject, which, I reiterate, has to do with speed limits in this State.

If the Chair, and I respectfully request the Chair's attention on this argument, if the Chair were to rule that this is a proper amendment, the Chair would, in effect, be saying that any bill may be amended, provided some section in the existing law is affected by the amendment. Such a declaration would be very sweeping and contrary to the rules of this House and contrary to the Constitution of this State.

I distinguish in this respect between an amendment and an original bill. An original bill can cover, of course, every section in the existing law. It can seek to amend, the original bill can seek to amend, every section in an existing law. But an amendment to a bill must be germane to the material that is contained in the bill; it must not change the purpose of that bill and it must deal exactly with the subject matter that is under consideration.

The subject under consideration in the bill is speed limits, nothing more and nothing less. The amendment offered is an amendment that deals completely with a subject that is alien, that is foreign, to the question of speed limits.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR

The SPEAKER. For what purpose does the gentleman from Bucks, Mr. Williams, rise?

Mr. A. D. WILLIAMS, Jr. Mr. Speaker, with regard to the gentleman's remarks.

The SPEAKER. The Chair would be interested in hearing the gentleman.

Mr. A. D. WILLIAMS, Jr. Mr. Speaker, I do not expect to shed too much light on the ruling that the Chair has the province to make here. I would like to point out to the members that this amendment amends the title of the bill. I admit what the gentleman from Philadelphia, Mr. Fineman, has said about the original bill, that it covers only speed, is correct.

However, this amendment does amend both the title and the content of this motor vehicle bill so that it would permit 40-foot trailers. I would point out, perhaps the fact that we have done something before is not grounds to do it again, but it is my understanding that, in the waning days of past sessions of this legislature, this device or these tactics have been used on many occasions whereby bills have been amended for purposes which were not exactly germane to the original bill. I think this is a long tried and true method for doing what we are doing here today. I will admit that the circumstances under which we are doing it are perhaps different. Usually, I think it is the majority party amending a bill of their own just for speed during the last days of the session. Here I hope it is a bipartisan effort to get something before this House which we have not yet been able to get before the House through normal channels.

Mr. Speaker, I join with the gentleman from Philadelphia, Mr. Fineman, in requesting a ruling from the Chair on this matter.

Mr. FINEMAN. Mr. Speaker, may I just say in reply, sir, that simply because we are in the waning days of the session, we hope, we cannot resort to procedures or devices that are improper in the interest of passing legislation.

This House should lay great stress upon precedent, and I want to place before this House precedent for the proposition that I am making today. I refer you to Decisions of the House of Representatives on Points of Order, point of order No. 12, which states: "On the question of agreeing to a bill on third reading the point of order was raised, that: Inasmuch as the subject and purpose of the Senate Bill, as it passed the Senate, was the express declaration restricted to amending the Public Service Company Law in the matter only of changes in utility rates and charges, the further amendments incorporated in the said bill by the House Committee on Public Utilities are reported and contained in a House Bill, divesting the Senate from its present authority in the matter of removals of Public Service Commissioners from office; conferring new powers and imposing new duties on the Superior Court in appeals from Commission orders; and requiring Commission approval as conditions precedent to utility security issues, a subject entirely new and not comprehended in any degree in the original or any amendatory provision of the Public Service Company Law, the Senate Bill, as reported by the House Committee, was further amended as to the title thereof."

This goes to the point that Mr. Williams raised. Here was a situation where, likewise, the title was amended.

The SPEAKER. The Chair would like to ask the gentle-

man from Philadelphia if, in the instance to which he refers, the matter was not referred to the House and the House did not sustain the point of order?

Mr. FINEMAN. That is correct, sir. Now, for the enlightenment of the House—

The SPEAKER. It did not sustain the point of order.

Mr. FINEMAN. You did not understand my point of order, sir?

The SPEAKER. I say that on the precedent that you—

Mr. FINEMAN. The Chair referred the question to the House and the House upheld the unconstitutionality of the bill.

The SPEAKER. The Chair begs to differ with the gentleman.

For what purpose does the gentleman from Bucks, Mr. Williams, rise?

Mr. A. D. WILLIAMS, Jr. Mr. Speaker, I believe the gentleman from Philadelphia, Mr. Fineman, is reading from page 214 of the Pennsylvania Manual of the 1959-1960 session, and, if he will refer to the bottom left-hand corner of that page, he will see that the point of order was not sustained by the House.

The SPEAKER. The point of order was not sustained by the House.

Mr. A. D. WILLIAMS, Jr. So he is arguing as precedent something which goes just opposite to what he is arguing.

Mr. FINEMAN. That may be so, sir. If I am in error about the result, the point is that this is precedent for raising the question. The question was well taken and I am satisfied to leave it to the disposition of this House, but in doing so I think the House should have the benefit of this note. On point 12 it says: "In further explanation of the point of order, under the Rules of the National House of Representatives a rule similar in substance to that of the Pennsylvania House of Representatives provides: 'And no motion or proposition on a subject different from that under consideration shall be admitted under color of amendment.'"

"Under this section it was ruled by Speakers Reed, Clark and Cannon that an amendment must be germane to the particular section"—to the particular section, I repeat—"of the law to which it is offered and that an amendment relating to the terms of the laws rather than to the terms of the bill was not germane to a bill amending a general law upon a specific point."

Now, that is exactly my point, the amendments are not germane to the particular section. They are not even germane to the subject that the bill covers. How can you ask the members of this House to vote on something that is patently unconstitutional?

The SPEAKER. Does the gentleman raise the point of constitutionality?

Mr. FINEMAN. I do, sir.

The SPEAKER. That places an entirely different light on the subject. Had the gentleman simply raised the question of germaneness, it was within the province of the Chair to determine. Under the rules of the House, the gentleman having raised the point of constitutionality of the amendment, the matter is referred to the House.

Mr. FINEMAN. I thank the Chair.

The SPEAKER. All of the members of the House will understand that the House is now considering the matter of the constitutionality of the amendments which have been offered.

The Chair recognizes the gentleman from Bucks, Mr. Williams.

Mr. A. D. WILLIAMS, Jr. Is it my understanding that this matter will now be referred to the House for a vote on the constitutionality of these amendments?

The SPEAKER. All questions relating to the constitutionality of any pending amendment or measure are automatically referred to the House for decision.

Mr. A. D. WILLIAMS, Jr. Mr. Speaker, I would, of course, like to ask for a roll call vote on that question. Second, is it in order to speak on the question?

The SPEAKER. The gentleman is in order to debate the question.

Mr. A. D. WILLIAMS, Jr. I merely want to make it clear to the members on both sides of the House that regardless of the merits of the amendments presently before the House, they are concerned with a very important question. Should you rule that these amendments at this time are not constitutional, you will have set a precedent which I think each one of you may some day rue because you may be in the same position.

I reiterate that this procedure has been followed in the past by this very House and that the rulings of this House in the past, as recently as in 1959, have been that this type of procedure was proper for the House to follow.

Those of you who are concerned with the merits of this amendment will have to vote that this amendment is constitutional or you will not get a chance to vote on the merits of the amendment itself. Thank you.

Mr. FINEMAN. Mr. Speaker, I disagree with the gentleman from Bucks that this House in voting on this question will be establishing a precedent, and I want to bring to the attention of the members on both sides of the aisle that, in voting that these amendments are unconstitutional, you are voting in a manner that is consistent both with the rules of this House and with the Constitution of the State. If you are to vote that the amendments are constitutional, you will be voting contrary to the rules of this House and contrary to the Constitution of this State. I ask the members of this House to uphold their obligation to support the Constitution and not to vote in a manner that will fly in the teeth of the Constitution.

I ask the members on both sides to vote against the constitutionality of these amendments.

The SPEAKER. The Chair recognizes the gentleman from Cameron, Mr. Tompkins.

Mr. TOMPKINS. Mr. Speaker, the argument that the gentleman from Philadelphia puts forth regarding the constitutionality of these amendments I think is completely outside the orbit of what is before the House. We are not voting on the constitutionality of the amendments; we are voting on the constitutional question as to whether or not these amendments are germane to the bill to which they are trying to attach them, not on the constitutionality of the amendments themselves.

The question of germaneness is under the House Rule; the question of the constitutionality is on the purpose of the bill.

The SPEAKER. As I understand, the gentleman says under the Constitution: "No law shall be passed except by bill, and no bill shall be so altered or amended, on its passage through either House, as to change its original purpose."

That involves the amendment, and the gentleman con-

tends that the amendment itself is unconstitutional. Is that not correct?

Mr. FINEMAN. The amendment is unconstitutional in that it seeks to change the purpose of the original bill.

The SPEAKER. That is the proposition. The Chair may not be in agreement with the gentleman from Philadelphia, but that is the gravamen of his contention, that the amendment per se is itself unconstitutional.

Mr. TOMPKINS. Mr. Speaker, I still maintain my original argument, that the amendment itself is not unconstitutional and that the purpose of the amendment itself is germane to the Motor Vehicle Code of which this bill now before us is one part of that particular original code.

The SPEAKER. That is the question that the gentleman presents to the House.

Mr. TOMPKINS. We ask the members to vote down this question.

The SPEAKER. The constitutional point takes it away from the jurisdiction of the Chair and transfers it to the jurisdiction to this House.

PARLIAMENTARY INQUIRY

The SPEAKER. For what purpose does the gentleman from Philadelphia, Mr. Lee, rise?

Mr. A. M. LEE. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. A. M. LEE. Mr. Speaker, the amplification system is such that I did not quite catch all of the colloquy between the Speaker and the gentleman from Cameron.

Is it my understanding that the situation at the present time is that the gentleman from Philadelphia, Mr. Fineman, has raised the point of the constitutionality of the offering of this amendment since in his opinion it would change the purpose of the bill, that is, Senate bill 104?

The SPEAKER. In the understanding of the Chair, that is exactly correct.

Mr. A. M. LEE. Mr. Speaker, I believe I am in order to speak on the question of constitutionality.

The SPEAKER. The gentleman is in order.

Mr. A. M. LEE. I would just say briefly, Mr. Speaker, that I believe the point raised by the gentleman from Philadelphia, Mr. Fineman, is not properly raised. The constitutional provision says that amendments may not be offered which change the original purpose of the bill. It is my understanding that this amendment offered by the gentleman from Bucks does not change the original purpose. The original purpose of Senate bill 104 still remains in the bill. The only thing that this amendment would do would be to add an amendment to another section of the vehicle code and, therefore, in effect, add another purpose to this bill without changing the original purpose. Therefore, it is my opinion, for what it is worth, that the offering of this amendment is constitutional.

Mr. FINEMAN. Mr. Speaker, this is what you call fine shading. The purpose of the bill, the purpose of any bill, is that which is expressed in the exact language as it comes over to us from the other chamber. The other chamber did not have for its purpose any matter concerning the length of trailers or tractors. They sent us a bill which deals exclusively with speed limits. That is their purpose. By altering this bill in a section of the

Motor Vehicle Code other than that dealing with speed limits, we are unequivocally, without reservation, changing the purpose of this bill.

I ask that the members vote down this amendment because it is clearly unconstitutional.

The SPEAKER. The Chair recognizes the gentleman from Bucks, Mr. Williams.

Mr. A. D. WILLIAMS, Jr. Mr. Speaker, I believe that I can cite an instance in this session, the 1961 Session, of this Legislature, where this House did exactly what is proposed here today. That was, I believe, on House bill 1032, which amended the Fish Commission Act to allow for open hearings. And I believe amendments were offered to that bill which increased the membership of the Fish Commission.

This was an amendment to an entirely different section of the act, and I do not think that is one bit different than what we are doing here today.

The SPEAKER. For what purpose does the gentleman from Philadelphia, Mr. McCormack, rise?

Mr. McCORMACK. I object to this running debate between two people. Under the rules of the House we are only supposed to speak once on arguing the constitutionality.

The SPEAKER. The gentleman is correct. The Chair has been very lenient and liberal. It is a very important question, and the Chair would not desire to shut down too closely on the gentlemen until they have had their say.

Mr. McCORMACK. But, Mr. Speaker, I would like—

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. McCormack.

Mr. McCORMACK. Mr. Speaker, once before in this session I got involved in a constitutional issue. I think once the House decides on the constitutionality of the question, it establishes a precedent after which we are unable to get a decision from the attorney general's office.

Now this involves the constitutionality of an amendment that would amend the vehicle code. And we are dealing with codes here, not just pieces of legislation that are not related to any other part of our laws. And for that reason it is a more serious question than should it occur when any other bill that is not a part of the code is being considered.

It, therefore, seems to me prudent on our parts that we should be given the opportunity of going into the case law on this subject and briefing it and coming in here with decisions. Now it is impossible for us as attorneys to do it on such short notice.

I, therefore, think that we ought, before we decide any question of constitutionality on whether this is germane to the vehicle code, to get an opinion from the attorney general. And if we are not able to do that, I would like myself to brief the law on it, and I, therefore, if I am in order, move to lay this amendment on the table.

The SPEAKER. The Chair would be compelled to hold that a motion to lay the bill and the amendment on the table was in order.

Does the gentleman make such a motion?

Mr. McCORMACK. Mr. Speaker, I withdraw the motion to lay it on the table.

The SPEAKER. For what purpose does the gentleman from Schuylkill, Mr. Heffner, rise?

Mr. HEFFNER. I rise for the purpose of talking on the constitutional question.

The SPEAKER. The gentleman is in order.

Mr. HEFFNER. Mr. Speaker, this is the second time this session that the question of the constitutionality of a bill is going to be decided by this House.

I agree with my colleague from Philadelphia, Mr. McCormack, when he said it is impossible for a member this day to decide whether or not this bill is constitutional. Frankly, it puts us all in an impossible situation.

I say to the members of this House that the last time this question was raised we did not decide the constitutional issue; we decided a political issue on a bill which was before the House, and I say to those members here today, if you vote in favor of Mr. Fineman's position, then you are voting against 40-foot trailers in Pennsylvania. Vote the merits of this bill and vote against this division.

Thank you.

The SPEAKER. The Chair would like to say as far as the germaneness of the proposed amendment is concerned, we have compiled a very lengthy statement based on various decisions; and also the opinion of the attorney general. But that was on a different matter. The question of constitutionality is before the House.

PARLIAMENTARY INQUIRY

Mr. GELFAND. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GELFAND. Would the question of germaneness be in contravention of the question of the constitutionality of this amendment? Will they both be dealing with the same problem?

The SPEAKER. They both would be dealing with the same problem from different angles.

Mr. GELFAND. Mr. Speaker, may I interrogate the gentleman from Bucks, Mr. Williams?

The SPEAKER. Will the gentleman from Bucks, Mr. Williams, permit himself to be interrogated?

Mr. A. D. WILLIAMS, Jr. I shall, Mr. Speaker.

Mr. GELFAND. Mr. Speaker, would the amendment under consideration add a new section to the bill under consideration?

Mr. A. D. WILLIAMS, Jr. It would.

Mr. GELFAND. Would the bill under consideration, as it is presently written, only deal with section 1002 of the Motor Vehicle Code?

Mr. A. D. WILLIAMS, Jr. It would.

Mr. GELFAND. I thank the gentleman, Mr. Speaker.

Mr. Speaker, on page 214 of the Pennsylvania Manual the question arose as to whether or not the addition of a section to a bill under consideration would be germane and in contravention to the rules of the House, and since you have already indicated that the two questions deal with the same problem from a different angle, I would like to bring this to your attention.

The Speaker decided that the first section being under consideration, it was not in order to strike out all of the enacting clause and insert a new bill containing several different sections which are not germane to the first section of the bill under consideration.

Under the circumstances, since we already have a decision which is set forth in the Pennsylvania Manual,

which has been decided by another House before us, which should act as precedent in this situation, I believe that we are compelled to find that the amendment is not in order and purports contravention of the provisions of the constitution, because what it purports to do is to add a new section to a bill under consideration and thereby change the intent and purpose of the bill under consideration. This, accordingly, would be a violation of the precept of the constitution and also be a violation of the decisions which have been earlier made by this House.

Accordingly, I would request in consideration of the motion before the House that we vote in favor of it, and vote that this amendment is not constitutional, because it does do what the constitution specifically forbids, and that is, change the intent and purpose of legislation under consideration.

I thank you.

PARLIAMENTARY INQUIRY

Mr. A. D. WILLIAMS, Jr. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. A. D. WILLIAMS, Jr. Would it be in order for the Speaker under unanimous consent of this House to enlighten the House on the ruling which the Speaker says he has done considerable research upon before we vote on this motion?

Mr. FINEMAN. Mr. Speaker, I rise to a point of order. I think the request of the gentleman is highly improper and out of order.

The SPEAKER. The gentleman has a point and he is out of order.

PARLIAMENTARY INQUIRY

Mr. McCORMACK. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. McCORMACK. Mr. Speaker, when a point of order is being discussed that the amendment is unconstitutional, it is not in order to raise another point of order.

The SPEAKER. The question before the House is the point of order raised by the gentleman from Philadelphia, and that is the only question before the House.

The Chair recognizes the gentleman from Clearfield, Mr. Breth.

Mr. BRETH. Mr. Speaker, I want to set the record straight on House bill 1032, of which I was a sponsor.

The gentleman from Bucks said the same thing was done with that bill that was being attempted to be done by this, change the intent of the bill.

That bill was amended at the very closing minutes of one of the day's sessions and the House was practically gone. The amendments had not been submitted to me and when I studied them, and they were in the bill, I raised the point and subsequently they were withdrawn. The bill was restored to its original condition because I intended to take up the very same point that is being taken up now.

The SPEAKER. The Chair recognizes the gentleman from Carbon, Mr. Bonner.

Mr. BONNER. Mr. Speaker, I am not an authority on the constitutionality of this bill, but I would like to ask an authority on it and I desire to question Representative McCormack of Philadelphia.

The SPEAKER. Will the gentleman from Philadelphia, Mr. McCormack, permit himself to be interrogated?

Mr. McCORMACK. I shall, Mr. Speaker.

Mr. BONNER. Mr. Speaker, the question resolves here of whether the intent and the purpose of this amendment changes the original intent of the bill. I would like to ask, if my memory serves me right, during the last session did I hear Representative McCormack on a highway advertising bill desire to get off the bill and ask consent of the House because it changed the original intent?

Mr. McCORMACK. Mr. Speaker, I remember it quite clearly. It was the billboard bill and I was the sponsor of the bill. The bill was reported out of committee entirely different from the bill that I sponsored and I asked leave to withdraw my name, but at no time was the constitutionality of that bill questioned. It was just that it was not the same bill that I sponsored.

Mr. BONNER. I thank the gentleman, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Goldstein.

Mr. M. H. GOLDSTEIN. Mr. Speaker, will the gentleman from Philadelphia, Mr. Fineman, consent to be interrogated?

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. FINEMAN. I shall, Mr. Speaker.

Mr. M. H. GOLDSTEIN. Mr. Speaker, is the gentleman from Philadelphia familiar with the history of an appropriation bill in the 1959 session in which the debatable issue of referendum on county health units was added to an appropriation bill?

Mr. FINEMAN. I am not familiar with it, no, sir.

Mr. M. H. GOLDSTEIN. Is the gentleman from Philadelphia unfamiliar with the amendment which was put in through the cooperation of the Philadelphia delegation when they added thereto the Philadelphia hospital appropriation?

Mr. FINEMAN. I am unfamiliar with the events that preceded or occurred subsequent to the passage of the bill at this point because it is not before me, my mind is not directed to that intention and I have no knowledge of the relationship of what transpired on that bill with this one.

Mr. M. H. GOLDSTEIN. That is all, Mr. Speaker. I am quite certain the gentleman from Philadelphia has a keen memory when he desires to exercise his memory.

I will refresh his memory: In 1959 we had an appropriation bill which left the House and when it went over to the Senate a great compromise occurred. That compromise was to put in an appropriation for the Philadelphia General Hospital. In order to get that appropriation through they had to have an appropriation—

Mr. FINEMAN. Mr. Speaker—

Mr. M. H. GOLDSTEIN. I am not yielding, Mr. Speaker. I am not through—

Mr. FINEMAN. I know the gentleman is not through, I am going to try to make him be through, though. I am raising a point of order, Mr. Speaker.

The SPEAKER. The Chair can only entertain one point of order at a time.

Mr. FINEMAN. Mr. Speaker—

The SPEAKER. Which one of you thinks you have the floor?

Mr. M. H. GOLDSTEIN. I do not yield the floor, I have the floor, Mr. Speaker.

Mr. FINEMAN. I am raising the question of the propriety of the gentleman's remarks, Mr. Speaker.

Mr. M. H. GOLDSTEIN. Mr. Speaker, in order to point out the constitutionality of this amendment, I am giving you some historical and legal background to follow it up. I have a perfect right to speak and not be interrupted because the gentleman is so much afraid that I may speak about a 40-foot bill. I am speaking about constitutionality and not about 40 feet.

The SPEAKER. The Chair would hold that so far the gentleman from Allegheny is in order and will proceed.

Mr. M. H. GOLDSTEIN. Thank you, Mr. Speaker.

When I was interrupted, I was pointing out the background of the legislative history of the appropriation bill in 1959 wherein an amendment for the Philadelphia hospital was added and at the same time an amendment was added providing for a referendum on county health units. My point is this: If this particular addition to the appropriation bill whereby people are voting on county health units throughout the State was unconstitutional, we have many, many a lawyer in this State who was against the purpose of that amendment and that particular issue would have been raised and raised very quickly.

To summarize, if the gentleman from Philadelphia can point out in the constitution any phrase wherein you cannot add to the purpose of a bill, I will vote on his side. Article III, section 1, merely says you cannot defeat or alter the purpose of the bill. We are not altering the purpose of the bill, we are adding thereto. There is no question about the constitutionality of this amendment. The only question is: How are you going to vote politically, that is all.

The SPEAKER. The question before the House is on the point of order raised by the gentleman from Philadelphia, Mr. Fineman, that the amendments offered by the gentleman from Bucks to Senate bill 104 are unconstitutional.

Those voting "aye" vote to sustain the point of order made by the gentleman from Philadelphia, thereby declaring the amendments to be unconstitutional.

Those voting "no" will vote that the point of order is not well taken, thereby declaring the amendments to be constitutional.

Mr. A. W. JOHNSON. Mr. Speaker, we ask for a roll call.

The SPEAKER. A vote will be taken. Does the House understand the question?

Mr. KORNICK. Mr. Speaker, will you phrase the question again as to how we are going to vote?

The SPEAKER. If you vote "aye," you are voting for the gentleman from Philadelphia. If you vote "no," you vote for the gentleman from Bucks.

On the question,

Will the House sustain the point of order raised by the gentleman from Philadelphia, Mr. Fineman?

The yeas and nays were required by Messrs. FINEMAN and A. W. JOHNSON and were as follows:

YEAS—76

Anderson, S. A.,	Gallagher,	Kramer,	Pashley,
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So the question was determined in the negative and the point of order was not sustained and the amendments were declared constitutional.

On the question recurring,

Will the House agree to the amendments?

POINT OF ORDER

The SPEAKER. The Chair recognizes the gentleman from Bucks, Mr. A. D. Williams, Jr.

Mr. A. D. WILLIAMS, Jr. Mr. Speaker, perhaps to save time I will myself request the Speaker to rule whether or not these amendments are germane to the bill.

The SPEAKER. The gentleman raises a point of order on his own amendments as to whether they are germane.

Mr. A. D. WILLIAMS, Jr. I thought it might save time, Mr. Speaker.

Mr. Speaker, I withdraw the point of order.

The SPEAKER. The question before the House is on the amendments. The gentleman from Philadelphia, Mr. Fineman, raises a point of order that the amendments proposed by the gentleman from Bucks are not germane. The Chair will simply say that in keeping with a long line of precedents on the part of the House and in conformity

with an expressed decision made by the attorney general's office in times past, in accordance with Mason's Manual which establishes legislation precedents, the Chair would be compelled to hold that these amendments are germane, that the subject of the bill is the vehicle code. The subject is not a particular amendment to the vehicle code, but the subject is the vehicle code and, therefore, the amendments are germane. Perhaps for the sake of precedent the Chair will submit for the record the following:

Article 3, section 1 of the Constitution of Pennsylvania reads as follows:

"No law shall be passed except by bill and no bill shall be so altered or amended on its passage through either house as to change its original purpose."

In an opinion recently written by Deputy Attorney General Harrington Adams on the question of germaneness of proposed amendments to a bill, he quoted from authorities as follows:

In 82 Corpus Juris Secundum Statutes, section 30, it is said:

"A constitutional provision that a bill shall not be so altered or amended, in the course of its enactment, as to change its original purpose does not prevent the insertion of amendments germane to, and within the scope of, the original."

"A constitutional provision that a bill shall not be so altered or amended, in the course of its enactment, as to change its original purpose is not to be so construed as to prevent the introduction of matter merely extending the purpose or scope of operation of the bill, or limiting it, or the substitution of a measure or insertion of amendments having the same purpose as the original or germane to, and within the scope of, the original; and a bill thus limited and extended by the amendments of the two houses in its scope or purpose, or otherwise amended, but embracing no matter not germane to the original purpose or the subject of legislation as expressed in the title of the act which it purports to amend, may become a valid law. Also, such a restriction should not be so embraced as to prevent the substitution for a bill which is essentially amendatory in character of another related to the same subject and having the same general effect on existing laws, although some changes may be proposed by the substitute which would not have resulted from the passage of the original."

"The 'purpose' contemplated in such a constitutional provision is the general purpose of the bill, and not the mere details through which and by which that purpose is manifested and effectuated. Such a constitutional provision should be given a reasonable construction so as not unnecessarily to embarrass proper legislation. * * *"

In 158 American Law Report, in the annotation appearing at page 421, in discussing constitutional provisions against changing the purpose of the bill during passage, it is said:

"III. Types of alterations or amendments which do not change original purpose:

"a. Immaterial changes, 424.

"b. Extension of scope, 426.

"c. Limitation of scope, 428.

"d. Changes in time, 428.

"e. Substitution of other measures having the same purpose as original measures, 429.

"f. Additions of matters germane to original purpose, 429."

In the case of Black Hawk Consol. Mines Co. v. Gallegos, 191 Pacific 2d 996 (1948), the Court at page 1005 said:

"The purpose of Article 4, Section 15 of the New Mexico Constitution prohibiting the altering or amending a bill on its passage so as to change

its purpose is, solely to prohibit amendments not germane to subject of legislation expressed in the title of act purported to be amended.

"See *Stein v. Leeper*, 78 Ala. 517; *Hall v. Steel*, 82 Ala. 562, 2 So. 650; *Alabama State Bridge Corp. v. Smith*, 217 Ala. 311, 116 So. 695."

In *Cone v. Garner*, 3 S.W. 2d 1 (1927), the Constitution of the State of Arkansas, which is identical with Article III, Sec. 1 of the Constitution of Pennsylvania, reads:

"No law shall be passed except by bill, and no bill shall be so altered or amended on its passage through either house as to change its purpose."

At page 4 the Court said:

"It is said that the object of this section of the Constitution was that the Senate and House of Representatives of the state might not be hampered or embarrassed in amending and perfecting their bills and thus be driven to accomplish by a number of bills that which might well be accomplished by one bill, but the purpose of the section was to forbid amendments which should not be germane to the subject of legislation expressed in the title of the act which it purports to amend. *Hickey v. State*, 114 Ark. 526, 170 S.W. 562."

In a later case, the Supreme Court of Arkansas, in *Pope v. Oliver*, 117 S.W. 2d 1072 (1938), said, in speaking of an alleged violation of Section 21 of Article V of the State Constitution, that:

"* * * The purpose of this provision in our Constitution is to prevent amendments to a bill which would not be germane to the subject of the legislation expressed in the title of the Act, which it purports to amend. *Loftin v. Watson*, 32 Ark. 414; *Hickey v. State*, 114 Ark. 526, 170 S.W. 562; *Cone v. Garner*, 175 Ark. 860, 3 S.W. 2d 1; *Matthews v. Byrd*, 187 Ark. 458, 60 S.W. 2d 909."

Rule 57 of the House reads, in part, as follows:

"No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment."

Also:

"Any member may move to amend a bill—provided the proposed amendment is germane to the subject."

Mason's Manual, Section 402, Section 3, defines "germane" as follows:

"To be germane, the amendment is required only to relate to the same subject—it may entirely change the effect of the measure and still be germane to the subject. This principle is supported by the established precedents of the House." *Legislative Journal*, May 25th, 1931, p. 5401 and numerous others.

On the question recurring,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the gentleman from Luzerne Mr. Bachman.

Mr. BACHMAN. Mr. Speaker, I want to speak on the amendments.

The SPEAKER. The gentleman is in order.

Mr. BACHMAN. Mr. Speaker, I represent an area of Pennsylvania which has been hard hit by unemployment—the Hazleton area. In my legislative district is located the Highway Trailer Company plant, manufacturers of trailers and employers of 400 men. This company formerly hired more than 700 people but now, under the threat of our failure to authorize 40-foot trailers, they may be forced out of existence. I have been informed that the same company will employ more than one thousand workers if the 40-foot trailers are made legal in this Commonwealth. I cannot, Mr. Speaker, in good conscience vote against the interest of my people, and, therefore, I must vote for these amendments. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Lehigh, Mr. Stimmel.

Mr. STIMMEL. Mr. Speaker, I would add to this amendment. I feel that many communities, like my community in Lehigh County, are affected in a like manner. I would like to read a letter from the Industrial Corporation of Lehigh County. The letter from the Industrial Development Corporation is addressed to me, the Honorable R. P. Stimmel, and all the other members of the Lehigh County delegation and reads as follows:

Dear Mr. Stimmel,

For almost a year we have been working with an industrial prospect and, just recently, we reached the point in our negotiations where it seemed that we would be able to bring a branch plant of a nationally-known firm to Allentown. This morning I received the attached letter—the problem is self-explanatory.

Knowing the trucking business as I do, it is difficult to understand why Pennsylvania insists on being the only state in the East which is unwilling to modernize its laws so new model tractors can move a 40-foot trailer without exceeding the present overall length of 50 feet.

I trust that you will use your influence to get this bill out of committee and work diligently for a favorable vote on the floor. We, as a community organization interested in bringing new industry to Lehigh County, will greatly appreciate anything you can do to support a revision of this out-moded law.

Very sincerely yours, Cy Gutman, I. C. Gutman, President, Industrial Development Corporation of Lehigh County.

The letter sent to him reads as follows: The name of the prospect company is withheld for confidential reasons but is addressed to Mr. John W. Trauch, Secretary of the Lehigh Economic Advancement Project, Inc., 462 Walnut Street, Allentown, Pa.

Dear Mr. Trauch: We would like to ask your assistance in connection with a matter pertaining to our proposed plant at Allentown, Penna.

It is my understanding that there is before the Pennsylvania Legislature three bills dealing with the length of a tractor-trailer combination that can move in the State of Pennsylvania.

The present law permits 50 feet overall length but has a restrictive clause stating that the trailer cannot exceed 35 feet. This means that even with the modern tractors you cannot use a 40-foot trailer although the overall length would be within the 50-foot limitation. Pennsylvania is the only State in the East having this 35-foot trailer limitation.

Forty-foot trailers are in wide use today. It is imperative that we have the availability of use of 40-foot trailers due to the nature of our products.

This 35-foot limitation places an undue burden on Interstate traffic and will cost us money on every load we ship from Allentown if we have to live with this 35-foot limitation. In view of the general use of 40-foot trailers and the fact that the State of Pennsylvania already has an overall 50-foot law it certainly seems to us that the 35-foot trailer limitation should be removed. I do not know what the state has to gain by the present restriction. It would seem to me that they must be losing business because of this. On many light density articles it is very important to be able to use 40-foot trailers.

We will appreciate it if you would lend your support by contacting the proper people in the Legislature to support the amendment from the present law to permit the 50-foot law to go into effect without restriction as to length of trailers. It has been suggested that you should also solicit the assistance of Mayor Gross in behalf of this matter. I am therefore sending you an extra copy of this letter should you feel that he would be willing to help in this.

Yours very truly, Traffic Manager, of this company that will, we hope, move into Allentown.

Now, here is a situation just as simple. This again is a situation where we are going to either help or deter business. We are either going to get these businesses in Pennsylvania if we give them the right climate, or we are going to lose them. This will help, with taxes. It deals with the practical matter of loading light material into a truck. In this case it would not even increase the weight but it will increase the size so that they can possibly transport their products. I urge you to vote for the amendments.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Morley.

Mr. MORLEY. Mr. Speaker, one of the startling and frightening aspects of this whole discussion here, both the other day and today, was the fact that not once at any time, by anybody, have the people of Pennsylvania been mentioned. We have listened to constitutional questions, we have listened to jobs in trailer plants, we have listened to profits for truckers, we have listened to 101 things, but not once, anywhere in this discussion have the people of Pennsylvania even been mentioned. They have been relegated to the status of William Graham Sumner's forgotten man, of whom he said, "He works, he votes, he sometimes prays, but he always pays."

But, Mr. Speaker, he should not be forced to pay with his life. This problem before us is, without a doubt, one of the most serious problems, not only in the Commonwealth of Pennsylvania, but in the Nation. It involves the lives and the safety of our people. This equipment they speak about is the most inherently hazardous piece of equipment on the highways that has been known for years. What these people seek to do is to increase the forces tending to throw this thing into a skid or a jackknife, and decrease the ability of the driver of that rig to pull it out. The minute that trailer starts to slide or skid, those forces change from a longitudinal direction into a lateral direction and as they gather speed they gang up. By adding five feet, plus two tons of load, you increase by 10,000 foot pounds the forces tending to pull that thing into a skid or a jackknife.

This problem has been dealt with since the advent of the automobile. I have been familiar with it to a degree, more or less, since the First World War when this equipment was first introduced. It has always been a problem. We have broadened our roads, we have stiffened up the structural strength of them and we have passed laws, we have set up highway enforcement agencies. Right here in this session of the legislation we passed the radar bill, which affects every person in Pennsylvania. A lot of you members did not like that bill. A lot of people thought that it was bearing down too hard or that it is a harassment to the people of Pennsylvania. But in view of this problem and the seriousness of it, this House agreed that it was necessary. We knew it was not an absolute control, but we thought that if there was any possibility of cutting down this total, of saving lives, of protecting the safety of the people of Pennsylvania, it is worthwhile.

Now here we are headed in exactly the opposite direction. Why? Not because the majority of the men who use this equipment want it, but because certain fringe interests in the transportation industry and a few trailer manufacturers lobbied for this bill. It seems to me that

it is about time that we stop trying to pick cherries with our backs to the tree, that we face up to the fact that this is one of not only Pennsylvania's but the Nation's biggest problems.

Now no group, no selfish interest group, owns the highways of Pennsylvania. They belong to all of the people. This House intends to say to the forgotten man that he is not forgotten and that we are not going to sweep the tears and the tragedy under the rug. We are not going to turn our highways over to these people.

Mr. Speaker, when any group of people fails to exercise the degree of self-discipline and self-control and respect for the rights of others that is the backbone of our whole free society, this House has not only a responsibility but a duty to do something about it.

I ask that the members of this House do that duty and vote against the amendment.

The SPEAKER. The Chair recognizes the gentleman from Berks, Mr. Adams.

Mr. ADAMS. Mr. Speaker, I want to speak, too, in favor of the people. I have not heard much mention about the people in this debate, until now, either. But I am concerned about the people in Berks County, in particular, and all over the State who are unemployed and unable to feed their families properly because of the limitations that are placed upon the manufacturers of these trailers at the present time. We have hundreds of people in Berks County who are laid off because Brown Trailer has closed shop and moved out. We have another plant down there, Parish Pressed Steel Division of the Dana Corporation that normally employed several thousand people but is working at curtailed operations right now because of this ban. We are surrounded by States that do permit the 40-foot trailer and a 50-foot overall length. I believe that some people are trying to confuse the issue on this length, because the overall length remains at 50 feet. Now, are all the surrounding States wrong? Are we right in keeping this restricted legislation that we have at the present time? We have been preaching about creating a favorable business climate here and full employment for the people of Pennsylvania, and if we are for the people, we want to see them work and earn an honest living, then let us do something for them and vote to get in line with the other States around us and give them work. Support the amendment.

The SPEAKER. Someone, sometime, must close this debate. The amendments having been offered by the gentleman from Bucks, he should be permitted to close the debate.

The Chair recognizes the gentleman from Perry, Mr. Holman. Does the gentleman from Philadelphia, Mr. Fineman, desire to be recognized afterward?

Mr. HOLMAN. Mr. Speaker, I would like to interrogate the gentleman from Philadelphia, Mr. Morley.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Morley, consent to be interrogated?

Mr. MORLEY. I shall, Mr. Speaker.

Mr. HOLMAN. Mr. Speaker, from the gentleman's knowledge of the trucking industry and the vehicle code, will this amendment in any way increase the length of the overall unit?

Mr. MORLEY. Mr. Speaker, the length of the overall unit has very little to do with the problem. It is the ratio, the length of one unit to the other.

Mr. HOLMAN. Mr. Speaker, I asked a particular question and I would like an answer. Does it increase the overall length of the combined equipment?

Mr. MORLEY. It will not increase the overall length, but it will increase the inherent hazard of the vehicle tremendously.

Mr. HOLMAN. Mr. Speaker, will this amendment in any way increase the load limit of tractor-trailers in the State of Pennsylvania?

Mr. MORLEY. Will the gentleman please repeat that question? I could not hear it.

Mr. HOLMAN. Will this amendment in any way increase the weight limit of any tractor-trailer operated on the roads of the Commonwealth of Pennsylvania?

Mr. MORLEY. It will increase the location of the weight, it will put it further away from the king pin and fifth wheel, and it treats the leverage tending to throw the weight into a skid or a jackknife.

Mr. HOLMAN. Will it increase the weight on the axle?

Mr. MORLEY. It might; it depends upon the distribution of the weight. It could seriously increase the weight on the axle, depending on the distribution, and make the vehicle more hazardous.

Mr. HOLMAN. Will it increase the total weight of the vehicle?

Mr. MORLEY. No, sir, it would not increase the total weight of the vehicle.

Mr. HOLMAN. Mr. Speaker, does the gentleman have knowledge of any other State in the country that does not permit a 40-foot trailer?

Mr. MORLEY. I am not familiar with the regulations in other States of the Nation. I base my judgments on surveys that I made while I was a safety engineer for the corps of engineers. We used various types of vehicles and we found it to be the most hazardous piece of equipment on the highways.

Mr. HOLMAN. I thank the gentleman, Mr. Speaker.

To me the argument of highway safety can be carried to ridiculous extremes. From my understanding of this amendment, it in no way increases the total weight of tractor-trailers. The modern tractor-trailer can shift the weight on the axle and it will in no way affect the highways of the Commonwealth. There is no other State, to my knowledge, in the United States that does not have a 40-foot-trailer limit.

And Mr. Morley raises the question of the people. Well, I would like to join in the comments of the gentleman from Luzerne, Mr. Bachman. As the gentleman from Luzerne knows, I also have personal knowledge of the plight of the people in the Hazleton area. I am very, very familiar with the personal sacrifice that the people of the greater Hazleton area and all Luzerne County have gone through to try to bring industry into this Commonwealth, into their locality. I am very familiar with the person sacrifice of the leaders of the Hazleton Industrial Development Corporation and of Can-Do, their two industrial bodies, in bringing Highway Trailers to the Hazleton area. I am very, very familiar with the vast time expended by a gentleman by the name of Victor C. Diehm of Hazleton who was one of the masterminds of the industrial development program in the Commonwealth of Pennsylvania. This means a great deal to the Luzerne County area and to the Hazleton area in particular. It means a great deal to many, many other sections of this

Commonwealth, including my own Perry County, which is a very small county, smaller than the entire population of the city of Hazleton. Perry County employs very few people in industry. We do not have too much industry. The depressed area bills that we have passed in this legislature have applied to Perry County, but in reality they do not work too satisfactorily in our area; we are primarily rural and not industrial.

The trucking industry in our particular county employs 1,394 people. It has 1,747 trucks registered. It had a total payroll in 1960 of \$6,750,000, more than the rest of the industry in our county combined. The investment of the trucking industry in Perry County is \$6,114,000. Now when you are talking of the people, and the people who are unemployed, and the people who try to make a living in the financially depressed areas of this Commonwealth, I think that far surpasses any possible safety hazard. I do not agree with the gentleman from Philadelphia that it exists. I do not think this in any way will increase the hazards of the trucking industry on the highway.

I respectfully request the members on both sides of the aisle, on behalf of my own constituents of Perry County and on behalf of the constituents of Luzerne County and many other depressed areas in this Commonwealth, to support the amendments of the gentleman from Bucks, Mr. Williams.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Fineman.

Mr. FINEMAN. Mr. Speaker, may I, initially, briefly answer this argument dealing with the economies of the situation.

I wonder how many of the men who argued in favor of these amendments on the basis of the provisions of the amendments allowing for a decrease in the tempo of our economy I wonder how many of those men have given thought to the question of how many drivers are going to lose their jobs by virtue of the fact that you are going to have rigs carrying larger loads and employing less drivers as a consequence thereof.

Now you state that this does not increase the amount of the load. I want to state to this House that this bill is nothing but a prelude, a first step towards a request that the pay-load, that the authorized amount of cargo, the weight, the tonnage, be increased. You will find that there will be not too long from now a bill presented to the members of this House increasing the authorized poundage from 65,000 pounds to 73,000 pounds. And this is merely the first step. For what other reason would they seek to increase the length of the tractor-trailers? Only to allow them to carry more weight.

But aside from the economies involved, I oppose these amendments, for the simple reason that in my judgment there is a safety element involved here. I do feel that the allowance of 40-foot trailers on our highways, which are already inadequate to accommodate the existing legal limits of our trucking industry, I feel that they are going to chop up our highways; they are going to peril the lives of our citizens on the road. I do not know how many members of this House drive to Harrisburg, but this past winter on the many trips I made to Harrisburg there were innumerable jack-knifing incidents where large tractor-trailers were lying across the road, having been jack-knifed as a result of going into a slide and not being able to cope with it.

Now I am no expert and I am not truly knowledgeable as to the physical dynamics involved, but it strikes my layman mind that when you have a 15-foot tractor and a 35-foot trailer it is the 15-foot tractor that generally supports the entire rig; it is the 15-foot tractor that acts as the anchor for the entire rig. And if you are going to reduce the length of that tractor to 10 feet to make it a snub-nosed cab, as they call it, instead of a 15-foot cab, and increase the overall length of the trailer, you are merely increasing the whiplash injury, or, rather, the whiplash type of effect that results when that weight goes into a spin or into a slide.

It is for this reason that I firmly and sincerely believe that this will give incidence to a larger number of accidents involving these larger rigs.

Now this is aside from the fact that unquestionably in the eastern part of the country where the streets were not designed originally to accommodate these larger types of rigs, there is going to be created traffic hazards and traffic problems. How often have I seen in the city of Philadelphia these 35-foot trailers trying to traverse a corner and not being able to make it, which necessitated their backing up, going forward again, and backing up again. That problem is going to be compounded if you are going to increase the overall length of this rig.

Now you say the overall length is not going to be increased, and, although that is true, you are increasing the length of that part of the rig that is not maneuverable. The only part of the rig that is maneuverable is the cab. That is the part that makes the turn, that is the part that guides the whole rig, and you are going to find these large rigs unable to traverse these corners.

Down in Philadelphia on Aramingo Avenue, we have a string of loading platforms. These 35-foot trailers have to be backed up in order to allow traffic to proceed through the street, and I might state that these rigs are so long now that they extend out into the street, and, in order to allow traffic to proceed through, the cab or the tractor has to be placed at a 90-degree angle with the trailer. Now what is going to happen if you increase this by another five feet? You are going to shut off completely this avenue of ingress and egress and you are going to stop the flow of traffic and increase the traffic problems.

Now there must be a reason why our own Secretary of Highways Park Martin, whose integrity and whose ability we all respect, has opposed the passage of any 40-foot law. He said it is going to chew up our highways, it is going to create additional hazards on the highways and there very definitely is a safety factor.

For these reasons, among others, I ask the members of the House to vote "no" on these amendments.

The SPEAKER. The Chair recognizes the gentleman from Blair, Mr. Holliday.

Mr. HOLLIDAY. Mr. Speaker, this House has expended a great deal of time in debating an issue over which there should be no controversy.

It cannot be denied that the overwhelming majority of Pennsylvania business and industrial groups need the 40-foot trailer to maintain their competitive status with other States.

It cannot be denied that the delay in legalizing this efficient instrument of commerce has already cost this State thousands of dollars in terms of employment in areas that can least afford such loss.

It cannot be denied that further delay is going to cause more and more losses of employment, not only in the trailer building industries, but in those which manufacture tractors, and in the businesses of truck owners who use them. It will mean layoffs in industrial plants which will route their production to units in other States whose transport laws are up-to-date.

If we, Mr. Speaker, are all pledged in advancing Pennsylvania's industrial growth, and I believe we all are, I do not see how we can view this measure as a partisan one, or as a favor to one particular mode of transportation.

The 40-foot trailer law is simply a vital, industrial need for Pennsylvania. Its passage can hurt no one; it can help millions. It should pass, and promptly.

Now, Mr. Speaker, there has been quite a bit of talk here about the maneuverability of trailers and tractors. I have been away from the business for a number of years, although I did put in 18 years in the truck and trailer business with two of the largest manufacturers in the world. So I used to know something about it, and I think that anybody who knows anything about it will realize and will know that with the longer trailer you will really get a better load distribution than you had with the shorter trailer. Your maneuverability will be just the same, and, as far as 15-foot tractors are concerned, those tractors are pretty much a thing of the past, and the cab over the engine, I would say, would be the principal tractor being put out by the truck manufacturers.

Another thing, Mr. Speaker, I believe every State in the Union, except seven, have the 40-foot trailer. I have heard that every State except two, that is, West Virginia and Pennsylvania, have the 40-foot trailer. Now Pennsylvania has 40-foot trailers operating on the highways right today. Every one of these trailers that you see hauling passenger cars is over 40 feet. Therefore, 40-foot trailers are now operating on the Pennsylvania Turnpike. Now if this law is not passed, those trailers cannot get off the Pennsylvania Turnpike and, therefore, it is going to cost business in the State of Pennsylvania.

Now there are a great many things you could argue for and against these trailers; you can say, as did the gentleman from Philadelphia, that they have to park at right angles on certain streets. That is all true. But I think that anybody who has seen a good tractor-trailer operator handle his truck and trailer, back it into places that you could hardly back your own pleasure car in, know that the truck and trailer industry is in good hands and the men behind the wheels are looking out for the safety of the people on the highways.

Mr. Speaker, I urge every person in this House to vote for the amendment. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Fayette, Mr. Kornick.

Mr. KORNICK. My remarks probably will not change anyone's mind as to how they are going to vote—

The SPEAKER. No souls are saved after the first two hours.

Mr. KORNICK. Mr. Speaker, I would like to remind the members of the House that we in Fayette County next week, July 17, are going to dedicate the new Fruehauf trailer plant, so, therefore, we in Fayette County must in all good conscience vote for this measure.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Taylor.

Mr. TAYLOR. Mr. Speaker, I get up after hearing your committee's debate on this big truck bill. I have been fighting this big truck bill for a long, long time but I am surprised to see some of the boys here today who have been selling fresh fish to the railroad companies and today are trying to sell fish to the big trucks.

The SPEAKER. The Chair recognizes the gentleman from Bucks, Mr. Williams, with the understanding that he is to close the debate.

Mr. A. D. WILLIAMS, Jr. Mr. Speaker, I am going to try to be brief at the risk of losing a few votes.

A respected member of this House, now deceased, the Honorable Willard Agnew, who was our minority leader at the beginning of this session, had what I thought was a very good habit of using visual presentation, if he at all could. I would like to show to the members of this House just what we are talking about in a visual form.

The picture up top is the present law of Pennsylvania showing a 35-foot trailer and a 15-foot tractor. This is legal in all 50 States of the United States.

At the bottom is what we are talking about in this amendment, the 40-foot trailer, the 10-foot, cab-over-engine tractor. Total length, as you can see, for both rigs is exactly 50 feet. The bottom one is legal in 46 States. It is illegal in Pennsylvania, it is illegal in West Virginia, but for \$1 you can use it in West Virginia. I think that shows visually what we are talking about.

I would like to just cover a few things that have not been mentioned today. One is that we, this year, voted \$8 million additional for the Pennsylvania Industrial Development Authority. I have here the booklet prepared by them and by the Department of Commerce, showing how many jobs have been created by the factories we have in Pennsylvania under this program. Three of the biggest ones that we have, one in Bucks County, one in Connellsville and Uniontown, and one, I think, in Fayette County, three of the biggest plants we have in Pennsylvania under this program, manufacture 40-foot trailers. Now what do they do with the 40-foot trailers when they finish manufacturing them? They put them on the highways of Pennsylvania to take them out where they can be used in every other State in the Union. And what do our police officers, both local and State, do? They wink. They close their eyes, because these trailers are illegal in Pennsylvania, yet we have three huge plants manufacturing them. It is a ridiculous situation and we are condoning it.

Do you people know that under Pennsylvania law today we can haul a hog to market in a 40-foot trailer, but we cannot bring the bacon home when it is in cans. It has to be in a 35-foot trailer. That is how ridiculous this situation is.

This, I think, places us in an enviable situation. We have industrial plants that make these trailers in Pennsylvania and that is business and jobs for Pennsylvania. We have shippers who ship light commodities who will never go over the weight load who need the extra space in these trailers which are legal every place else. We have the labor unions behind us on this bill. I understand the steel workers are for it, the automobile workers are for it, and I know that in my own county the joint

AFL-CIO is for it. So we have something here that everybody, or at least almost everybody, is for.

At the present time we have erected a 35-foot wall around Pennsylvania. It is a ridiculous wall and we had better rip it down today.

The one last thing I want to mention that has not been touched upon at all is the advent, and it is the growing thing in the trucking and railroad industry, and that is the advent of the piggy-back operation. The piggy-back operation, whereby a trailer unit is carried on a flat-bed railroad car, has been and is being standardized throughout the United States on the basis of 20 and 40 foot lengths, and the Pennsylvania 35-foot trailers just waste space and cost money.

One other thing in that same field is what they call containerization. This is another growing thing whereby they have trailer units of 20 or 40 feet in length—and if you have a 20-foot one, you put two of them together. We ship throughout the United States, and we ship to foreign countries in these containers. The container itself leaves the country, or leaves the State; it goes all over the country by railroad. The 35-foot trailer just fails to fit in with the economics of that type of operation.

I think we have a chance here to do something, to make jobs in Pennsylvania, to make some of this industrial climate we talk about all the time. I hope you will pass these amendments.

The SPEAKER. The Chair would remind Mr. Morley that the Chair distinctly asked that everybody who wanted to speak—

Mr. MORLEY. Mr. Speaker, I would like to interrogate the gentleman for a minute on that sketch he showed to the House. I think it is distorted. It gives the House the wrong impression. I would like to ask him a few questions.

The SPEAKER. The Chair would say all right, under the circumstances, but we wish that the gentleman had gone along with the Chair and permitted the gentleman from Bucks to close the debate. Proceed.

Mr. MORLEY. Mr. Speaker, I would like to know if the gentleman knows where the fifth wheel of the king pin is located on either one of those rigs?

Mr. A. D. WILLIAMS, Jr. The fifth wheel? You have got me.

Mr. MORLEY. That is all, Mr. Speaker.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. A. D. WILLIAMS, Jr. and A. W. JOHNSON and were as follows:

YEAS—125

Adams,	Gallagher,	Lee, K. B.,	Seltzer,
Anderson, J. H.,	George,	Long, Wm. Jas.,	Sherman,
Ashton,	Gibb,	Long, Wm. Jos.,	Shupnik,
Auker,	Goldstein, J. H.,	Magee,	Simmmons,
Bachman,	Goldstein, M. H.,	Manbeck,	Slack,
Backenstoe,	Goodrich,	Markley,	Snare,
Blair,	Gremminger,	Marsh,	Stank,
Bonner,	Gross,	May,	Steckel,
Bower,	Hamilton,	McCandless,	Stimmel,
Breth,	Hartley,	McDevitt,	Stiteler,
Buchanan,	Haudenshield,	McDonald,	Stone,
Bush,	Hefner,	McInroy,	Thompson,
Capano,	Henzel,	McNally,	Tomasck,
Cloff,	Holl,	Meholchick,	Tompkins,
Clarke,	Holliday,	Merry,	Truslo,
Cooley,	Holman,	Miller,	Ujebal,
Crossin,	Horst,	Murray,	Verner,
Davis,	Irvls,	O'Dell,	Verona,
Dennison,	Jenkins,	Ogilvie,	Walsh,

Down,
Elvey,
Eshback,
Kaiser,
Kessler,
King,
Kistler,
Klein,
Knecht,
Kooker,
Kornick,
Korns,
Fulmer,
Galley,

Johnson, A. W.,
Johnson, R. P.,
Piper,
Polaski,
Polen,
Prendergast,
Price,
Pursley,
Reibman,
Renwick,
Rovanske,
Royer,
Rudisill,
Schaaf,

Weldner,
Welsh,
Wescott,
Whittaker,
Willard,
Willaredt,
Williams, A. D.,
Wood,
Wynd,
Zimmerman,
Zember,
Andrews,
Speaker

NAYS—72

Anderson, S. A.,
Arlene,
Boles,
Bossert,
Bowman,
Branca,
Capitolo,
Clanfrani,
Comer,
Dengler,
Donaldson,
Dougherty,
Doughten,
Edwards,
Eilberg,
Fllo,
Fineman,
Frascella,

Gelfand,
Gibbons,
Gray,
Greenlee,
Guesman,
Hankins,
Heavy,
Hocker,
Isaacs,
Jim,
Jones,
Kamyk,
Kelly,
Kernaghan,
Lamb,
Lawson,
Lee, A. M.,
Leonard,

Limper,
Lippincott,
Lutty,
Maxwell,
McCann,
McCormack,
McKeever,
McLaughlin,
Mills,
Monroe,
Morley,
Mullen,
Munley,
Murphy,
Musto,
Needham,
O'Donnell, J. A.,
O'Donnell, J. P.,

Odoristo,
Parlante,
Pashley,
Petrosky,
Reidenbach,
Riley,
Rubin,
Scarcelll,
Schuster,
Shelton,
Sullivan, J. A.,
Sullivan, T. F.,
Taylor,
Wall,
Wargo,
Wilt,
Worley,
Yetter,

NOT VOTING—13

Cauley,
Curwood,
Ewing,
Fry,

Gramlich,
Guthrie,
Helm,
Mihm,
Perry,
Rutherford,

Sakulsky,
Strausser,
Williams, E. S.,

So the question was determined in the affirmative and the amendments were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

ANNOUNCEMENTS

Mr. McCANN. This is the last roll call today, but I ask the members to please check the board for the committee meetings to be held tomorrow. The House will convene tomorrow at noon, 12 o'clock, daylight saving time.

Mr. Speaker, I wish to state that when we do convene tomorrow we proceed to vote on bills that were caucused on today by both caucuses. I believe that the first three pages of Senate bills are already caucused on, and we will take up those bills before we break for caucus tomorrow.

Mr. TOMPKINS. What time will we convene tomorrow, Mr. Speaker?

Mr. McCANN. Mr. Speaker, at 12 o'clock, daylight saving time.

COMMITTEE MEETINGS

AGRICULTURE and DAIRY INDUSTRIES, Mr. Farabaugh, chairman, Room 331-A, Tuesday, July 11, at 10 a.m.

BANKING and BUILDING and LOAN ASSOCIATIONS, Mr. Parlante, chairman, Room 131-A, Tuesday, July 11, at 11:30 a.m.

CITIES-COUNTIES FIRST CLASS, Mr. Dougherty, chairman, Room 521, Tuesday, July 11, at 11:45 a.m.

CITIES-THIRD CLASS, Mr. Walsh, chairman, Room 131-C, Tuesday, July 11, at 11:30 a.m.

COUNTIES, Mr. Cioffi, chairman, Room 131-C, Tuesday, July 11, at 11 a.m.

EDUCATION, Mrs. Reibman, chairman, Room 324, Tuesday, July 11, at 9:30 a.m.

ELECTIONS, Mr. Eilberg, chairman, Room 323, Tuesday, July 11, at 11:45 a.m.

WORKMEN'S COMPENSATION, Mr. Capano, chairman, Room 131-D, Tuesday, July 11, at 11:30 a.m.

STATE GOVERNMENT, Mr. Fineman, chairman, Room 522, Tuesday, July 11, at 11 a.m.

ALL TIMES ARE DAYLIGHT SAVING TIME

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of Senate bill No. 100, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" by making persons over sixteen years of age subject to certain penal provisions of the act.

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. McCANN asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the clerk for information.

Amend Sec. 3, page 3, lines 12 to 15 by striking out all of said lines.

Amend Sec. 4, page 3, line 16 by striking out "4" and inserting: 3

Amend Sec. 2, page 3, line 2 by striking out "Shall" and inserting instead thereof: May

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 471, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), further regulating the removal of wrecked vehicles and tractors from the highway.

On the question,

Will the House agree to the bill on third reading?

Mr. TOMPKINS asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the clerk for information.

Amend Sec. 1 (Sec. 1222), page 2, line 12, by inserting brackets before and after "a reasonable time" and inserting immediately thereafter: thirty-six hours

Amend Sec. 1 (Sec. 1222), page 2, line 14, by striking out "first class"

Amend Sec. 1 (Sec. 1222), page 2, line 17, by striking out "first class"

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 101, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" requiring brake linings to be approved; prohibiting the sale of unapproved linings; providing for the issuing and revocation of certificates of approval; establishing fees and providing penalties.

On the question,

Will the House agree to the bill on third reading?

Mr. FINEMAN asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the clerk for information.

Amend Title, page 1, sixth line of Title, by inserting after "sale": or use

Amend Sec. 1 (Sec. 809), page 4, line 18, by inserting brackets before and after "violating" and inserting immediately thereafter: who knowingly violates

Amend bill, page 7, by inserting after line 17:

Section 2. This act shall take effect January 1, 1962.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 258, entitled:

An Act requiring the State Treasurer and other State officials to deduct the tax imposed by any first class city upon salaries, wages and other compensation paid to offi-

cers and employes of the Commonwealth domiciled or performing services within that city and to make a return and remit the tax so deducted to the Revenue Commissioner of such city.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Rules.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 294, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" further providing for the lights and signals to be used in connection with certain vehicles and providing penalties.

On the question,

Will the House agree to the bill on third reading?

Mr. McCANN asked unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the clerk for information.

Amend Sec. 3 (Sec. 801), page 5, line 12, by inserting after "vehicle": having a registered capacity gross weight of eleven thousand (11,000) pounds or more

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 361, entitled:

An Act concerning the ownership of securities by minors providing for the transfer of and dealing with such securities and prescribing the powers, duties, liabilities and immunities of certain persons in their transactions in connection therewith.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 401, entitled:

An Act amending the act of May 1, 1933 (P. L. 103), entitled "The Second Class Township Code" authorizing increase in the number of meetings for which supervisors may be paid without the prior approval of the auditors; further providing for the attendance of supervisors or

employees at road meetings and conventions, imposing duties on township secretaries, changing the time which may be expended by auditors in the completion of audits, authorizing managers to attend meetings of county associations of township officers, authorizing supervisors to exercise general powers; further providing for the parties who may protest a change in zoning and providing for review of township ordinances and regulations adversely affecting public utility service.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Townships.

The motion was agreed to.

TIME EXTENDED ON BILL

Mr. McCANN asked and obtained unanimous consent to extend the time five days on House bill No. 640, printer's No. 1345, on page 35 of today's calendar, bills on third reading postponed.

BILL ON THIRD READING POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on third reading of Senate bill No. 201, entitled:

An Act amending the act of June 24, 1937 (P. L. 2017), entitled "County Institution District Law" further regulating the powers and duties of local authorities as to persons in foster homes and as to children and youth and further regulating payments for care.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. McCANN asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the clerk for information.

Amend Sec. 4 (Sec. 411), page 6, line 2, by striking out "MEDICAL"

Amend Sec. 4 (Sec. 411), page 6, line 3, by striking out "FOR THE AGED"

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

RESOLUTION

RECALLING HOUSE BILL NO. 828 FROM THE GOVERNOR

Mr. McCANN offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, July 10, 1961.

Resolved (if the Senate concur), that House bill No. 828,

printer's No. 2185, entitled "An act amending the act of May 27, 1949 (P. L. 1903), entitled 'An act providing for powers, responsibilities, duties and limitations of the Governor, Adjutant General, Department of Military Affairs, Pennsylvania State Armory Board, Military Reservation Commission in connection with the armed military and naval forces and the internal security of the Commonwealth for the definition, organization, powers and limitations of the unorganized militia, Pennsylvania National Guard, Pennsylvania Guard, Naval Militia, Pennsylvania Naval Militia and for coordination with the government of the United States in the organization and functioning of the Pennsylvania National Guard and the National Guard of the United States apportioned the Commonwealth changing the measure of relief for disability or death of personnel on active duty," be recalled from the Governor for the purpose of amendment.

Ordered, that the clerk present the same to the Senate for concurrence.

RECONSIDERATION OF VOTE ON HOUSE BILL NO. 156

Mr. KORNICK. Mr. Speaker, I move that the vote by which House bill No. 156, printer's No. 156, entitled:

"An Act amending the 'Municipal Employees' Retirement Law' approved June 4, 1943 (P. L. 886), including officers and employes of certain associations within the act."

was defeated on final passage Thursday, June 29, 1961, be reconsidered.

Mr. A. D. WILLIAMS, Jr. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Fayette, Mr. Kornick, vote on the final passage of this bill?

Mr. KORNICK. Mr. Speaker, I voted with the prevailing side.

The SPEAKER. How did the gentleman from Bucks, Mr. Williams, vote on the final passage of this bill?

Mr. A. D. WILLIAMS, Jr. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED

Mr. McCANN. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

RECONSIDERATION OF VOTE ON SENATE BILL NO. 239

Mr. MAXWELL. Mr. Speaker, I move that the vote by which Senate bill No. 239, printer's No. 1019, entitled:

"An Act amending the act of August 9, 1955 (P. L. 323), entitled 'The County Code' authorizing the closing of court houses and other county offices on Saturdays in counties of the third class."

was defeated on final passage Thursday, June 29, 1961, be reconsidered.

Mr. MILLS. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Westmoreland, Mr. Maxwell, vote on the final passage of this bill?

Mr. MAXWELL. Mr. Speaker, I voted with the prevailing side.

The SPEAKER. How did the gentleman from Westmoreland, Mr. Mills, vote on the final passage of this bill?

Mr. MILLS. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED

Mr. McCANN. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

REPORTS FROM COMMITTEE

Mr. McCANN from the Committee on Rules, reported as committed, House bill No. 1741, entitled:

An Act amending the "Dry Cleaning and Dyeing Law," approved May 14, 1949 (P. L. 1342), defining coin-operated dry cleaning, and providing that certain provisions of the act shall not be applicable to dry cleaning by that means.

Mr. McCANN from the Committee on Rules, reported as committed, House bill No. 1810, entitled:

An Act amending the act of June 19, 1911 (P. L. 1055), entitled "An act authorizing the release on probation of certain convicts, instead of imposing sentences; * * *" by further regulating the manner of sentencing of convicts in certain cases.

Mr. McCANN from the Committee on Rules, reported as committed, Senate bill No. 405, entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" further regulating suspensions of operators' licenses or learners' permits for violation of maximum speed limits.

Mr. McCANN from the Committee on Rules, reported as committed, House Resolution No. 83.

Mr. McCANN from the Committee on Rules, reported as committed, House Resolution No. 86.

Mr. McCANN from the Committee on Rules, reported as committed, Senate Joint Resolution Serial No. 119.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1741, entitled:

An Act amending the "Dry Cleaning and Dyeing Law," approved May 14, 1949 (P. L. 1342), defining coin-operated dry cleaning, and providing that certain provisions of the act shall not be applicable to dry cleaning by that means.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1810, entitled:

An Act amending the act of June 19, 1911 (P. L. 1055),

entitled "An act authorizing the release on probation of certain convicts, instead of imposing sentences; * * *" by further regulating the manner of sentencing of convicts in certain cases.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 405, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" further regulating suspensions of operators' licenses or learners' permits for violation of maximum speed limits.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

RESOLUTION

CONDOLENCE

Messrs. KORNICK, TRUSIO, WILLIAM JAMES LONG and COOLEY offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and unanimously adopted as follows:

In the House of Representatives, July 10, 1961.

On July 6 of this year, Harry Cochran a former member of this distinguished body passed away at the age of 78. A Democratic member for thirty years, Mr. Cochran represented the people of the second district of Fayette County.

Harry Cochran was first elected to the General Assembly in 1913 but he was active in politics prior to that, having been elected Burgess of Dawson in 1906. He was also a member of the Democratic National Committee.

Prior to his death, Mr. Cochran was active in club and civic work. He was a member of the Sons of the American Revolution, the James Cochran Lodge of Free Masons, the Elks and the Board of Directors of the Fayette County Tuberculosis and Health Association.

All of us who had the pleasure of knowing Harry Cochran deeply mourn his passing for he was a man that was well respected by all as evidenced by his being reelected to the General Assembly by his constituents time after time; therefore be it

Resolved, That the House of Representatives extend its deepest sympathy to Harry Cochran's widow, the former Winifred Ann MacFarland upon the death of her beloved husband; and be it further

Resolved, That a copy of this resolution be forwarded to Mrs. Winifred Cochran at her home in Dawson, Fayette County, Pennsylvania.

REPORT OF JOINT STATE GOVERNMENT COMMISSION

The SPEAKER laid before the House the report of the Joint State Government Commission.

The communication was read by the clerk as follows:

To the Honorable, the House of Representatives of the General Assembly of the Commonwealth of Pennsylvania:

I have the honor to transmit herewith a copy of the Proposed Inheritance and Estate Tax Act of 1961, together with the official Comments of the Commission.

Respectfully submitted,

HARRIS G. BRETH, Chairman.

(For report, see appendix)

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 344.

An Act providing for the certification by the Sanitary Water Board of operators in responsible charge of sewage treatment plants specifying the classifications of sewage treatment plants and the grades of certificates for operators thereof requiring that only certified operators may operate certain plants providing for revocation and suspension of certificates and providing for penalties and civil relief.

Referred to the Committee on Public Health and Sanitation.

SENATE BILL No. 345.

An Act regulating sewage disposal systems in the interest of preserving the health of the people of the Commonwealth requiring permits to be issued to persons installing sewage disposal systems imposing certain duties on the Department of Health and on municipalities and providing penalties.

Referred to the Committee on Public Health and Sanitation.

SENATE BILL No. 628.

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" classifying film strips transparencies records and tapes as school supplies of the first class.

Referred to the Committee on Education.

SENATE BILL No. 662.

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" qualifying the membership of county board of school directors.

Referred to the Committee on Education.

SENATE BILL No. 708.

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" providing for apportionment of rental obligations in certain cases.

Referred to the Committee on Education.

SENATE BILL No. 776.

An Act amending the act of June 2, 1937 (P. L. 1208), entitled "An act to describe define and officially adopt a system of coordinates for designating the positions of points on the surface of the earth within the Commonwealth of Pennsylvania" imposing duties on the Department of Internal Affairs and making an appropriation.

Referred to the Committee on State Government.

SENATE BILL No. 805.

An Act amending the act of May 20, 1937 (P. L. 728), entitled "An act providing for the creation of a Board of Arbitration of Claims arising from contracts with the Commonwealth . . ." changing the compensation of members providing for the appointment of an executive secretary and other employees changing the limitations on the filing of claims increasing the powers of the board providing for appeals and making an appropriation.

Referred to the Committee on Judiciary.

BILL INTRODUCED AND REFERRED

By Messrs. A. D. WILLIAMS, Jr., and ELVEY.

HOUSE BILL No. 1825.

An Act declaring that real property acquired by the Pennsylvania Turnpike Commission which is not used and is not designated to be held for future use for purposes essential to the operation of the Pennsylvania Turnpike and its extensions is subject to taxation.

Referred to the Committee on Rules.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 133

An Act amending the act of June 1, 1959 (P. L. 392), entitled "State Employes' Retirement Code of 1959" re-defining the words "final average salary" for retirement of officers and employes of the Pennsylvania State Police.

SENATE BILL No. 182

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code" regulating the use of land for sanitary land fills by zoning.

SENATE BILL No. 183

An Act amending the act of May 4, 1927 (P. L. 519), entitled "The Borough Code" providing that applicants for the position of policeman and fireman need not be residents of the borough and authorizing residence to be required after appointment as police and firemen.

SENATE BILL No. 186

An Act amending the act of May 4, 1927 (P. L. 519), entitled "The Borough Code" authorizing the purchase or condemnation of unobstructed views at curves and intersections.

SENATE BILL No. 570

An Act changing the name of the Municipal Court of Philadelphia to the County Court of Philadelphia.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGES

The clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate insists on nonconcurrence in amendments to Senate bill No. 65.

Senate insists on amendments to House bills Nos. 254 and 255.

Appointment of Conference Committees on House bills Nos. 254 and 255 and Senate bill No. 65.

ADJOURNMENT

Mr. McCANN. Mr. Speaker, I move that this House do now adjourn until Tuesday, July 11, 1961, at 11 a.m., e. s. t.

The motion was agreed to, and (at 6:17 p. m., e. s. t.) the House adjourned.

Legislative Journal.

Session 1961.

145th of the General Assembly.

Vol. 38.

HARRISBURG, PA., TUESDAY, JULY 11, 1961.

No. 74.

SENATE

TUESDAY, JULY 11, 1961

The Senate met at 11:30 a.m., Eastern Standard Time.

The PRESIDENT (Lieutenant Governor John Morgan Davis) in the Chair.

PRAYER

The Chaplain, Rev. GEORGE A. SMITH, Pastor of Saint Paul's United Church of Christ, Fort Washington, offered the following prayer:

Let us pray.

Gracious and eternal God, Lord of all creation and Ruler of mankind, we invoke Thy blessing once again at the beginning of a new day of labor. Thou art holy and good beyond our comprehension, yet we, Thy erring children, seek Thy presence and favor now. Be pleased, O Father, to hear our prayer as we face the work before us.

Let not the vigor and freshness of this noon hour, or the glow of good health, or the prosperity of our undertakings deceive us into a false sense and trust in our own strength. All good gifts have come from Thee. Assist us, then, O God, to use our powers of mind and heart for the good of all as we deliberate here. Drive away from us all wrong desires and deliver us from selfish motives. Separate our deeds from the gloom of darkness, and as Thou dost awaken our bodies from sleep, so awaken our souls from sin. May the light of Thy truth shine in upon us as the light of noonday shines in upon us now.

Keep us ever mindful of our responsibilities in this august Body, and grant us always the courage to fulfill our duties in honor. Enliven us as we go about our business, and at the end of this day bring us to our beds content and unashamed, for Thy Name's sake. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the clerk will read the Journal of the preceding session.

The clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WEINER and Mr. LANE, further reading was dispensed with, and the Journal was approved.

COMMUNICATION FROM THE GOVERNOR

APPROVAL OF SENATE BILL

The Secretary to the Governor being introduced, presented communication in writing from His Excellency,

the Governor, advising that the following Senate Bill had been approved and signed by the Governor: **SB 522.**

NOMINATION BY THE GOVERNOR REFERRED TO COMMITTEE

He also presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations:

MEMBER OF THE BOARD OF TRUSTEES OF NANTICOKE STATE HOSPITAL

July 11, 1961.

To the Honorable, the Senate

of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John K. Evans, 23 East Green Street, Nanticoke, Luzerne County, for reappointment as a member of the Board of Trustees of Nanticoke State Hospital, until the third Tuesday of January, 1965, and until his successor is appointed and qualified.

David L. Lawrence.

HOUSE MESSAGES

RESOLUTION RECALLING FROM THE GOVERNOR **HB 828**

The Clerk of the House of Representatives being introduced, presented extract from the Journal of the House of Representatives which was read, considered and concurred in:

In the House of Representatives, July 10, 1961.

Resolved (if the Senate concur), that House bill No. 828, printer's No. 2185, be recalled from the Governor for the purpose of amendment.

Ordered, that the clerk inform the House of Representatives accordingly.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence **HB 341, 1382 and 1384**, which were referred to the Committee on Education.

He also presented for concurrence **HB 564, 1081, 1251, 1273, 1383, 1385, 1386 and 1599**, which were referred to the Committee on State Government.

He also presented for concurrence **HB 565 and 1505**, which were referred to the Committee on Local Government.

He also presented for concurrence **HB 1549**, which was referred to the Committee on Military Affairs and Aeronautics.

He also presented for concurrence **HB 1597**, which was referred to the Committee on Insurance.

He also presented for concurrence **HB 1600**, which was referred to the Committee on Appropriations.

He also presented for concurrence **HB 1617**, which was referred to the Committee on Highways.

He also presented for concurrence **HB 1621, 1622** and **1638**, which were referred to the Committee on Rules.

REPORTS FROM COMMITTEES

Mr. McCREESH, from the Committee on Judiciary General, reported, as committed, **SB 800, 801, 823, HB 943** and **1015**.

He also, from the Committee on Elections, reported, as committed, **HB 826, 884, 1616, 1666, 1667** and **1704**.

BILLS INTRODUCED AND REFERRED

Messrs. CAMIEL, MULLIN, MAHADY and DONOLOW presented to the Chair **SB 854**, entitled:

An Act amending the act of March 2, 1956 (P. L. 1211), entitled "Practical Nurse Law," defining and regulating the licensing and practice of registered practical nursing and certified practical nursing; defining, limiting and qualifying the liability of hospitals and institutions employing such licensees; and imposing duties on certain State boards.

Which was committed to the Committee on Education.

Messrs. CAMIEL, MULLIN, MAHADY, DONOLOW and McMENAMIN presented to the Chair **SB 855**, entitled:

An Act amending the act of July 28, 1953 (P. L. 674), entitled "An act to authorize courts to direct fiduciaries to make partial distribution or to pay into the State Treasury without escheat moneys, the use, benefit, enjoyment or control of which would not be available to certain non-resident beneficiaries entitled thereto; . . ." redefining fiduciary, extending the provisions of the law to transfers by operation of law and sales and assignments thereof.

Which was committed to the Committee on Judiciary General.

Mr. FLEMING presented to the Chair **SB 856**, entitled:

An Act amending the act of June 1, 1956 (P. L. 1944), entitled "An act providing a permanent allocation of a part of the fuels and liquids fuels tax proceeds to cities, boroughs, incorporated towns and townships, for their road, street and bridge purposes; . . ." regulating expenditure of funds allocated to municipalities.

Which was committed to the Committee on Highways.

PERMISSION TO ADDRESS SENATE

Mr. BELL asked and obtained unanimous consent to address the Senate.

Mr. BELL, Mr. President and Members of the Senate, we, in southeastern Pennsylvania, have long had a problem of adequate bridges or tunnels across the Delaware River. Between Philadelphia and New Castle, Delaware, which is approximately forty to forty-five miles, there is no bridge or tunnel. Delaware County has a river crossing facility in the form of a ferry which, again, is not adequate.

The resolution I am about to offer, Mr. President, seeks to have the Governor of Pennsylvania instruct the Secre-

tary of Highways to take immediate action. It also seeks to have the Delaware River Port Authority take immediate action to start working on the construction of a bridge or tunnel and the necessary access highways.

Mr. President, I am agreeable that this resolution be referred to the Committee on Rules.

SENATE RESOLUTION

REQUESTING THE CONSTRUCTION OF A DELAWARE RIVER BRIDGE OR TUNNEL IN DELAWARE COUNTY

Mr. BELL offered the following resolution (**Serial No. 85**), which was read and referred to the Committee on Rules:

In the Senate, July 11, 1961.

Whereas, There exists a great need for a bridge or tunnel from Delaware County across the Delaware River to New Jersey; and

Whereas, The best location for such a crossing is in the vicinity of the City of Chester; and

Whereas, The construction of such a crossing would materially aid employment and the industrial and business economy of south eastern Pennsylvania in general and Delaware County in particular; and

Whereas, Such a crossing would greatly aid and assist the motor transport industry in opening access to New York City, New England and New Jersey; and

Whereas, This bridge or tunnel would greatly convenience Delaware County motorists in reaching New Jersey destinations; and

Whereas, The construction of such a bridge or tunnel is within the jurisdiction of the Governor of Pennsylvania, The Delaware River Port Authority, and the Governor of New Jersey; and

Whereas, It is essential that action on this project proceed without further delay; therefore be it

Resolved, That the Governor of Pennsylvania direct the Secretary of Highways to initiate plans immediately and proceed with construction of access roads to a crossing site; and be it further

Resolved, That the Delaware River Port Authority expedite the construction of a Delaware River bridge or tunnel in Delaware County, preferably in the vicinity of the City of Chester.

REPORTS FROM COMMITTEE

Mr. WADE, by unanimous consent, from the Committee on State Government, reported, as committed, **HB 1206** and **1207**.

RESOLUTIONS REPORTED FROM COMMITTEE

Mr. WADE, by unanimous consent, from the Committee on State Government, reported without amendment, Senate Resolution, **Serial No. 78**, entitled:

Requesting That a New Section, Entitled "Pennsylvania Centennials", be Inserted in the Next Pennsylvania Manual

The PRESIDENT. The resolution will be placed on the Calendar.

He also, by unanimous consent, from the Committee on State Government, reported without amendment, Senate Resolution, **Serial No. 84**, entitled:

Requesting the Joint State Government Commission to Make a Study of Using Larger Type in Certain Publications

The PRESIDENT. The resolution will be placed on the Calendar.

REPORTS FROM COMMITTEES

Mr. SESLER, by unanimous consent, from the Committee on Judiciary General, reported, as committed, **HB 1644**.

Mr. VAN SANT, by unanimous consent, from the Committee on State Government, reported, as committed, **SB 767, 842, 852, HB 1403, 1494, 1495, 1540 and 1588**; as amended, **HB 1668**.

BILL INTRODUCED AND REFERRED

Mr. STIEFEL, by unanimous consent, presented to the Chair **SB 857**, entitled:

An Act making an appropriation to Combs College of Music, Philadelphia, Pennsylvania, for maintenance.

Which was committed to the Committee on Appropriations.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. DEVLIN, by unanimous consent, from the committee on Executive Nominations, reported the following nominations, made by his Excellency, the Governor:

MEMBER OF THE PENNSYLVANIA LABOR RELATIONS BOARD

July 6, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John T. Haletsky, 121 Emerald Avenue, Pennside, Reading, Berks County, for reappointment as a member of the Pennsylvania Labor Relations Board, until June 2, 1967, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE

MEMBER OF THE STATE PLANNING BOARD

July 6, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate George J. Mead, 638 West Sixth Street, Erie, Erie County, for reappointment as a member of the State Planning Board, until December 13, 1964, and until his successor is appointed and has qualified.

DAVID L. LAWRENCE

MEMBER OF THE JUVENILE COURT JUDGES' COMMISSION

July 6, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Otto P. Robinson, Judge of the Court of Common Pleas for the Forty-fifth Judicial District, Scranton, Lackawanna County, for reappointment as a member of the Juvenile Court Judges' Commission, until June 7, 1964, and until his successor is appointed and qualified.

DAVID L. LAWRENCE

MEMBERS OF THE REGISTRATION COMMISSION IN AND FOR THE CITY OF PHILADELPHIA

July 7, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Registration Commission in and for the City of Philadelphia, until January 6, 1965, or until their successors qualify:

Harvey N. Schmidt (Democrat), 4021 Spring Garden Street, Philadelphia, Philadelphia County, vice James C. Crumlish, Jr., resigned.

Leon Sacks (Democrat), Garden Court Apartments, Forty-seventh and Pine Streets, Philadelphia, Philadelphia County. (Reappointment)

Harold H. Salkind (Democrat), 1622 North Seventy-second Street, Philadelphia, Philadelphia County. (Reappointment)

Charles W. Sweeney (Republican), 2015 Spring Garden Street, Philadelphia, Philadelphia County. (Reappointment)

Robert S. Hamilton (Republican), 6321 Ridge Avenue, Roxborough, Philadelphia, Philadelphia County. (Reappointment)

DAVID L. LAWRENCE

MEMBER OF THE STATE BOARD OF OPTOMETRICAL EXAMINERS

July 6, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Dr. Martin Krauss, 6328 Caton Street, Pittsburgh 17, Allegheny County, for appointment as a member of the State Board of Optometrical Examiners, for the term of four years, and until his successor shall have been appointed and qualified, vice Dr. William J. VanEssen, Pittsburgh, deceased.

DAVID L. LAWRENCE

MEMBER OF THE BOARD OF TRUSTEES OF KUTZTOWN STATE COLLEGE

June 19, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Peter Mahalage, 36 West South Street, Mahanoy City, Schuylkill County, for reappointment as a member of the Board of Trustees of Kutztown State College, until the third Tuesday of January 1965, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE

MEMBER OF THE BOARD OF TRUSTEES OF DIXMONT STATE HOSPITAL

June 21, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Dixmont State Hospital:

George I. Minch, 217 Oak Haven Drive, Coraopolis, Allegheny County, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

Mrs. Florrie Lee Johnson, 106 Sycamore Drive, Pittsburgh 35, Allegheny County, until the third Tuesday of January 1965, and until her successor is appointed and qualified.

Miss Genevieve W. Settino 817 Melrose Avenue, Am-

bridge, Beaver County, until the third Tuesday of January 1963, and until her successor is appointed and qualified.
 Harry H. Davis, R. D. 1, Riverview Avenue, Industry, Beaver County, until the third Tuesday of January 1967, and until his successor is appointed and qualified.

DAVID L. LAWRENCE

MEMBER OF THE BOARD OF TRUSTEES OF
 NANTICOKE STATE HOSPITAL

July 6, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Anthony M. Zabiegalski, 700 South Hanover Street, Nanticoke, Luzerne County, for reappointment as a member of the Board of Trustees of Nanticoke State Hospital, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

DAVID L. LAWRENCE

MEMBERS OF THE BOARD OF TRUSTEES OF
 NANTICOKE STATE HOSPITAL

July 6, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Board of Trustees of Nanticoke State Hospital, until the third Tuesday of January 1963, and until their successors are appointed and qualified:

Louis Potknoski, 289 East Ridge Street, Nanticoke, Luzerne County, vice Charles Adonizio, Wyoming, whose term expired.

Robert J. Barrett, 27 Washington Street, West Pittston, Pittston, Luzerne County. (Reappointment)

DAVID L. LAWRENCE

MEMBERS OF THE BOARD OF TRUSTEES OF THE
 COMMONWEALTH MENTAL HEALTH
 RESEARCH FOUNDATION

June 26, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Board of Trustees of the Commonwealth Mental Health Research Foundation:

J. Paul Doud, Grange Avenue, Eagleville, Montgomery County, until December 31, 1962, and until his successor shall be duly appointed and qualified, vice J. Howard Pew, Ardmore, resigned.

Mrs. Caryl M. Kline, Bradfordwoods, Allegheny County, until December 31, 1963, and until her successor shall be duly appointed and qualified, vice Philip S. Broughton, Pittsburgh, whose term expired.

DAVID L. LAWRENCE

MEMBERS OF THE CLINTON COUNTY BOARD
 OF ASSISTANCE

July 6, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Clinton County Board of Assistance:

William Edward Meyer (Democrat), Loganton, Clinton

County, until December 31, 1963, and until his successor is duly appointed and qualified, vice John F. Marshall, Lock Haven, whose term expired.

Wilbur L. Kephart (Democrat), 121 South Summit Street, Lock Haven, Clinton County, until December 31, 1961, and until his successor is duly appointed and qualified, vice Dr. Charles E. Cox, Lock Haven, deceased.

DAVID L. LAWRENCE

JUSTICE OF THE PEACE

July 10, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Norma J. DeBrakeleer, Box 122, Depot Street, Mill Village, Erie County, for appointment as Justice of the Peace in and for the Borough of Mill Village, Erie County, to serve until the first Monday of January 1962, to fill a vacancy.

DAVID L. LAWRENCE

JUSTICE OF THE PEACE

July 6, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Maurice D. Smith, 105 North Broad Street, Ridgway, Elk County, for appointment as Justice of the Peace in and for the Borough of Ridgway, Elk County, to serve until the first Monday of January 1962, vice John C. Minish, deceased.

DAVID L. LAWRENCE

MEMBER OF THE BOARD OF TRUSTEES OF
 SCRANTON STATE HOSPITAL

June 26, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as a member of the Board of Trustees of Scranton State Hospital, until the third Tuesday of January 1967, and until his successor is appointed and qualified:

M. Stirna, 141 School Street, Scranton, Lackawanna County.

DAVID L. LAWRENCE

EXECUTIVE NOMINATIONS

EXECUTIVE SESSION

A motion was made by Mr. DEVLIN and Mr. RIPP, That the Senate do now resolve itself into Executive Session for the purpose of considering certain nominations made by the Governor.

Which was agreed to.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. DEVLIN asked and obtained unanimous consent for immediate consideration of the nominations made by His Excellency, the Governor, and reported from committee at today's Session.

The PRESIDENT. Since the Clerk has just read the nominations, there will be no need to have them read again.

On the question,

Will the Senate advise and consent to the nominations?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. DEVLIN. Mr. President, I move that the Executive Session do now rise.

Mr. RIPP. Mr. President, I second the motion.

The motion was agreed to.

RECESS

Mr. WEINER. Mr. President, I request a five minute recess of the Senate for the purpose of holding a meeting of the Committee on Appropriations, to be held in the office of the Appropriations Committee.

The PRESIDENT. Are there any objections? The Chair hears no objection, and declares a five minute recess of the Senate.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

REPORTS FROM COMMITTEES

Mr. SHAFER, by unanimous consent, from the Committee on Judiciary General, reported, as amended, **SB 791**.

Mr. MCGINNIS, by unanimous consent, from the Committee on Appropriations, rereported, as committed, **SB 503** and, as amended, **SB 730**.

Mr. SILVERT, by unanimous consent, from the Committee on Finance, reported, as committed, **HB 1678**.

BILL INTRODUCED AND REFERRED

Messrs. BERGER and CAMIEL, by unanimous consent, presented to the Chair **SB 858**, entitled:

An Act amending the act of May 11, 1921 (P. L. 522), entitled, as amended, "Dog Law of 1921," requiring a veterinarian's certificate stating that the dog has been inoculated or vaccinated against rabies or hydrophobia prior to issuance of a license.

Which was committed to the Committee on Agriculture.

RECESS

Mr. FLEMING. Mr. President, I request a fifteen minute recess of the Senate for the purpose of holding a Republican Caucus, in the Republican Caucus Room on the fourth floor.

Mr. SEYLER. Mr. President, at the same time, there will also be a Democratic Caucus, to be held in the Democratic Caucus Room.

The PRESIDENT. Are there any objections? The Chair hears no objection, and declares a fifteen minute recess of the Senate.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

CALENDAR

FINAL PASSAGE CALENDAR

RECONSIDERATION OF HB 197

HB 197 (Pr. No. 1156)—On the question, Shall the bill pass finally?

Mr. WEINER. Mr. President, I move to reconsider the vote by which House bill No. 197, printer's No. 1156, passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. WEINER. Mr. President, I voted with the prevailing side.

Mr. LANE. Mr. PRESIDENT, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. LANE. Mr. PRESIDENT, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. WEINER, by unanimous consent, offered the following amendment:

Amend page 3, by striking out all of lines 17 and 18 and inserting in lieu thereof:

Section 3. The provisions of this Act shall not apply to newspaper advertising or to contracts made by school districts, counties, cities, boroughs, townships and incorporated towns

On the question,

Will the Senate agree to the amendment?

It was agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. WEINER.

The PRESIDENT. The bill, as amended, will appear on tomorrow's Third Reading Calendar.

BILLS OVER IN ORDER

SB 493 and **687**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

HB 1082—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

THIRD READING CALENDAR ..

BILL ON THIRD READING AND FINAL PASSAGE

SB 8 (Pr. No. 13)—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. MAHADY, by unanimous consent, offered the following amendments:

Amend Title, page 1, first line of Title by striking out "Great Dane" and inserting: Beagle

Amend Preambles, page 1, first to last lines;

page 2, first to eighteenth lines by striking out all of said lines.

Amend Sec. 1, page 3, line 1 by striking out "Great Dane" and inserting: Beagle

On the question,

Will the Senate agree to the amendments?

Mr. MAHADY. Mr. President, may we be at ease a moment?

The PRESIDENT. The Senate will be at ease.

(The Senate was at ease.)

And the question recurring,

Will the Senate agree to the amendments?

Mr. MAHADY. Mr. President, I desire to withdraw the amendments which I offered.

The PRESIDENT. At the request of the gentleman from Westmoreland, Senator Mahady, the amendments are withdrawn.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. MAHADY. Mr. President, I now move that Senate bill No. 8, printer's No. 13, be recommitted to the Committee on Law and Order.

Mr. EHRGOOD. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

POINT OF INFORMATION

Mr. BELL. Mr. President, I rise to a point of information.

The PRESIDENT. The gentleman from Delaware, Mr. Bell, will state his point of information.

Mr. BELL. Mr. President, is this motion debatable?

The PRESIDENT. No, it is not, sir.

Mr. BELL. Mr. President, thank you. I tried anyway.

Mr. SILVERT. Mr. President, in view of the proponent of this bill,—the lady who has worked for ten hard years for this type of legislation—I intend to vote "no" on this motion to recommit.

And the question recurring,

Will the Senate agree to the motion?

The roll was called and resulted as follows:

YEAS—19

Berger,	Keller,	Scott,	Taylor,
Chapman,	Kromer,	Sesler,	Wade,
Ehrgood,	Madigan,	Seyler,	Wagner,
Flack,	Mahady,	Stevenson,	Wolfe,
Fleming,	Pechan,	Stroup,	

NAYS—26

Bell,	Hawbaker,	Mullin,	Silvert,
Camel,	Kalman,	Propert,	Stalsey,
Confair,	Lane,	Ripp,	Stiefel,
Devlin,	Mallery,	Rooney,	Van Sant,
DiSilvestro,	McCreesh,	Sarraf,	Ware, III,
Donolow,	McGinnis,	Shafer,	Weiner,
Haluska,	Miller,		

So the question was determined in the negative, and the motion to recommit was defeated.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—29

Bell,	Haluska,	Propert,	Stalsey,
Berger,	Kalman,	Ripp,	Stiefel,
Camel,	Mallery,	Rooney,	Van Sant,
Confair,	McCreesh,	Sarraf,	Wagner,
Devlin,	McGinnis,	Scott,	Ware, III,
DiSilvestro,	Miller,	Shafer,	Weiner,
Donolow,	Mullin,	Silvert,	Yatron,
Flack,			

NAYS—17

Chapman,	Kromer,	Pechan,	Stroup,
Ehrgood,	Lane,	Sesler,	Taylor,
Fleming,	Madigan,	Seyler,	Wade,
Hawbaker,	Mahady,	Stevenson,	Wolfe,
Keller,			

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

SB 23 and **HB 53**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

HB 67—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

HB 95—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

SB 196—Without objection, the bill was passed over in its order at the request of Mr. SEYLER.

HB 257 and **SB 351**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

SB 353—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILL ON THIRD READING AND FINAL PASSAGE

SB 603 (Pr. No. 1055)—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bell,	Hawbaker,	Miller,	Stalsey,
Berger,	Hays,	Mullin,	Stevenson,
Camel,	Kalman,	Murray,	Stiefel,
Chapman,	Keller,	Pechan,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,

NAYS—1

Propert,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL POSTPONED

SB 610 (Pr. No. 1029)—Upon motion of Mr. WEINER, seconded by Mr. LANE, and agreed to, the bill was placed on the Third Reading Postponed Calendar.

BILLS OVER IN ORDER

SB 646—Without objection, the bill was passed over in its order at the request of Mr. SEYLER.

SB 672—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

SB 688 and 690—Without objection, the bills were passed over in their order at the request of Mr. SEYLER.

BILLS ON THIRD READING AMENDED

SB 704 (Pr. No. 1003)—Read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. RIPP, by unanimous consent, offered the following amendment:

Amend Sec. 1 (Sec. 202), page 3, lines 1 and 2 by striking out "VETERINARY OR ANIMAL HOSPITAL" and inserting: corporation whose purposes and functions do not pertain to the treatment or care of human beings

On the question,

Will the Senate agree to the amendment?

It was agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. RIPP.

SB 705 (Pr. No. 1004)—Read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. RIPP, by unanimous consent, offered the following amendment:

Amend Sec. 1 (Sec. 202), page 3, lines 2 and 3 by striking out "VETERINARY OR ANIMAL HOSPITAL" and inserting: corporation whose purposes and functions do not pertain to the treatment or care of human beings

On the question,

Will the Senate agree to the amendment?

It was agreed to

Without objection, the bill, as amended, was passed over in its order at the request of Mr. RIPP.

SB 706 (Pr. No. 1005)—Read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. RIPP, by unanimous consent, offered the following amendment:

Amend Sec. 1 (Sec. 5-1), page 2, line 12 by striking out all of said line and inserting: corporation whose purposes and functions do not pertain to the treatment or care of human beings

On the question,

Will the Senate agree to the amendment?

It was agreed to

Without objection, the bill, as amended, was passed over in its order at the request of Mr. RIPP.

SB 707 (Pr. No. 1056)—Read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. RIPP, by unanimous consent, offered the following amendment:

Amend Sec. 1 (Sec. 1), page 4, line 8, by striking out "veterinary or animal hospital" and inserting: business whose purposes and functions do not pertain to the treatment or care of human beings

On the question,

Will the Senate agree to the amendment?

It was agreed to

Without objection, the bill, as amended, was passed over in its order at the request of Mr. RIPP.

BILLS ON THIRD READING AND FINAL PASSAGE

HB 754 (Pr. No. 827)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 755 (Pr. No. 2167)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL POSTPONED

SB 796 (Pr. No. 961)—Upon motion of Mr. LANE, seconded by Mr. DiSILVESTRO, and agreed to, the bill was placed on the Third Reading Postponed Calendar.

BILL OVER IN ORDER

SB 811—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILL ON THIRD READING AND FINAL PASSAGE

HB 1025 (Pr. No. 2452)—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. CHAPMAN. Mr. President, I desire to be recorded as voting "aye."

The PRESIDENT. The gentleman will be so recorded.

Mr. WEINER. Mr. President, may we be at ease a moment?

The PRESIDENT. The Senate will be at ease.

(The Senate was at ease.)

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36

Berger,	Hawbaker,	Murray,	Silvert,
Camel,	Kalman,	Pechan,	Stalsey,
Chapman,	Lane,	Ripp,	Stiefel,
Devlin,	Mahady,	Rooney,	Stroup,
DiSilvestro,	Mallery,	Sarraf,	Van Sant,
Donolow,	McCreesh,	Scott,	Wagner,
Ehrgood,	McGinnis,	Sesler,	Ware, III,
Flack,	Miller,	Seyler,	Weiner,
Haluska,	Mullin,	Shafer,	Yatron,

NAYS—12

Bell,	Keller,	McMenamin,	Taylor,
Confair,	Kromer,	Propert,	Wade,
Fleming,	Madigan,	Stevenson,	Wolfe,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL POSTPONED

HB 1139 (Pr. No. 1271)—Upon motion of Mr. WEINER, seconded by Mr. LANE, and agreed to, the bill was placed on the Third Reading Postponed Calendar.

BILLS ON THIRD READING AND FINAL PASSAGE

HB 1181 (Pr. No. 2462)—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. WAGNER. Mr. President, before we vote on House bill No. 1181, I want to make certain that something very important is included in the record of today's proceedings.

Certainly it is difficult to stand on the floor of the Senate and ask anybody to vote against a measure to create an Anthracite Mine Law Study Commission. We need it. It is good for the industry, it is good for those who work in it, and I would be reluctant to seek negative votes. However, I do think the record should show the history of the changes in this bill.

I was quite happy that the sponsors of the bill saw fit to stipulate in it that one of the men representing the operators should be from the independents, many of

which we have in Schuylkill, Dauphin and Northumberland Counties.

You will recall that the Majority Leader amended the bill to exclude the provision for representation of the independents in this industry. I protested that, but was told in no uncertain terms that the independents could not be spelled out in the bill. However, a compromise suggestion was made that inasmuch as the independent operator was being removed from the bill, the number to be appointed to the commission would be increased from three to four, implying that we wanted the Governor to make an independent operator or his representative the fourth man, so to speak.

If I vote for this bill, Mr. President, unless somebody sees fit to correct me, I would like the record to show that the intent of the Senate was to increase the number of operators' representatives from three to four, with the express hope that the Governor, when the commission is appointed, would see that the independents are represented thereon.

Mr. WEINER. Mr. President, I do not want to correct my friend and colleague, Senator Wagner. However, I think it ill behooves us to tell the Governor, whom we have made the appointing authority, what position he should take in this matter. I know he is fair. I know he will do the proper thing in this situation. That is the reason why we have expanded this Commission so that all facets of the industry may be included and may present their point of view in this matter.

It is with that in mind that we ask that this measure go to his desk as quickly as possible. It must go back to the House for them to confirm our action by concurring in our amendment. With that in mind, I would ask that we enact this measure as speedily as possible so they can act on it and the Governor can take whatever actions he feels are indicated.

I would not like to force him to take any one group in the industry. I feel this is a mine study group and, as such, I think will have, of necessity, to include all facets of the industry, or else the work that they will do will have very little or no validity when it is reported back for the proper people to take the proper steps.

Mr. WAGNER. Mr. President, the point I particularly wanted to make was the reason for the number being changed from three to four. I think Senator Weiner has confirmed that, and we ought to have a pretty good understanding on the part of the Senate.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

HB 1284 (Pr. No. 1481)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 1331 (Pr. No. 2308)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

HB 1414 (Pr. No. 1963)—Read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. BERGER. Mr. President, this bill authorizes the Governor to abolish certain special funds and transfer

the balances in those funds, and in the bond fund, for the purpose of extinguishing the public debt. Mr. President, this is a very good proposal and I believe those funds should be transferred and extinguished. However, I also believe it is a legislative prerogative, inasmuch as the Legislature created those special funds.

For that reason, Mr. President, I would like to have information, if possible, on what funds are involved and the balances in the funds which are to be transferred. That could be very simply done by presentation of a bill and having those funds abolished and the amounts transferred to the General Fund, as would be the case with this bill.

Consequently, Mr. President, until I can obtain that information, I am going to ask that the bill go over in its order with the thought that the Legislature, in accomplishing this, should do it in the same manner as the funds were created.

The PRESIDENT. There being no objection, the bill, on third reading, will go over in its order.

HB 1515—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILL ON THIRD READING AND FINAL PASSAGE

HB 1533 (Pr. No. 1899)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representative with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

HB 1551—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILL ON THIRD READING AMENDED

HB 1595 (Pr. No. 2454)—Read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. WEINER, by unanimous consent, offered the following amendments:

Amend Title, page 1, first line of Title, by inserting after "entitled": as amended

Amend Title, page 1, sixth line of Title, by striking out "Assistance" and inserting: Welfare

Amend Title, page 1, next to last line of Title by striking out "the".

Amend Title, page 1, last line of Title, by striking out "Assistance" and inserting: Welfare

Amend Sec. 2 (Sec. 4), page 4, line 5, by striking out "Assistance" where it appears the first time and inserting: Welfare

Amend Sec. 2 (Sec. 4), page 4, line 5, by striking out "Assistance" where it appears the second time and inserting: Welfare

Amend Sec. 5 (Sec. 9.1), page 8, lines 2 and 3, by striking out "district" and inserting: distinct

Amend Sec. 5 (Sec. 9.1), page 9, line 7, by striking out "three dollars (\$3)" and inserting four dollars (\$4)

Amend Sec. 7 (Sec. 13), page 13, line 11, by striking out "Assistance" and inserting: Welfare

On the question,

Will the Senate agree to the amendments?

They were agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. WEINER.

BILL SIGNED

The President (Lieutenant Governor John Morgan Davis) in the presence of the Senate signed the following bill: **SB 94**.

NOMINATION BY THE GOVERNOR REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations:

JUSTICE OF THE PEACE

July 11, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Wesley R. Ozias, 114 Hill Avenue, Chewick, Allegheny County, for appointment as Justice of the Peace in and for the Borough of Cheswick, Allegheny County, to serve until the first Monday of January 1962, vice Andrew Snyder, deceased.

DAVID L. LAWRENCE

RECONSIDERATION OF HB 1140

Mr. SEYLER. Mr. President, I move that the Senate do now reconsider the vote by which House Bill No. 1140, Printer's No. 2200, failed of final passage on July 10, 1961.

The PRESIDENT. How did the Senator vote?

Mr. SEYLER. Mr. President, I voted with the prevailing side.

Mr. LANE. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. LANE. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. SEYLER. Mr. President, I request that House bill No. 1140 appear on tomorrow's Final Passage Calendar.

The PRESIDENT. There being no objection, House bill No. 1140 will appear on tomorrow's Final Passage Calendar.

SECOND READING CALENDAR

BILLS OVER IN ORDER

SB 375—Without objection, the bill was passed over in its order at the request of Mr. SEYLER.

SB 473, HB 573, and SB 598—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

SB 611 and 613—Without objection, the bills, were passed over in their order at the request of Mr. SEYLER.

SB 644, 671 and 741—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

BILL RECOMMITTED

SB 773 (Pr. No. 927)—Mr. STASEY. Mr. President, I move that Senate bill No. 773 be recommitted to the Committee on Local Government for the purpose of rather extensive amendments.

Mr. RIPP. Mr. President, I second the motion.

The motion was agreed to and the bill was recommitted.

BILLS OVER IN ORDER

HB 1023—Without objection, the bill was passed over in its order at the request of Mr. SEYLER.

HB 1075, 1085, 1098, 1099, 1101, 1105, 1163 and 1172—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

BILL ON SECOND READING

HB 1174 (Pr. No. 2351)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

HB 1178 (Pr. No. 1579)—The first section was read.

On the question,

Will the Senate agree to the section?

Messrs. BERGER and McMENAMIN offered the following amendments:

Amend Sec. 1, page 1, line 3, by striking out "\$17,000" and inserting: \$15,500

Amend Sec. 1, page 2, line 1, by striking out "\$16,000" and inserting: \$14,500

Amend Sec. 1, page 2, line 2, by striking out "\$14,000" and inserting: \$13,000

Amend Sec. 1, page 2, line 4, by striking out "\$13,000" and inserting: \$12,500

Amend Sec. 1, page 2, line 6, by striking out "\$19,000" and inserting: \$18,000

Amend Sec. 1, page 2, line 8, by striking out "\$18,000" and inserting: \$17,000

Amend Sec. 1, page 2, line 19, by striking out "\$14,000" and inserting: \$12,000

Amend Sec. 1, page 3, line 2, by striking out "\$13,000" and inserting: \$11,000

Amend Sec. 1, page 3, line 4, by striking out "\$14,000" and inserting: \$13,000

Amend Sec. 1, page 3, line 7, by striking out "\$13,000" and inserting: \$12,000

Amend Sec. 1, page 3, line 17, by striking out "\$10,000" and inserting: \$10,500

They were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the Senate agree to the section?

Messrs. BERGER and McMENAMIN offered the following amendment:

Amend Sec. 2, page 4, line 3, by striking out "\$6,000" and inserting: \$5,000

It was agreed to

The section was agreed to as amended.

The third and fourth sections and title were read and agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. BERGER.

BILL OVER IN ORDER

HB 1190—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILLS ON SECOND READING

HB 1294 (Pr. No. 1953) and **HB 1307 (Pr. No. 2394)**—Read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

HB 1335—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILL ON SECOND READING

HB 1402 (Pr. No. 2192)—Read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

HB 1496—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILL ON SECOND READING POSTPONED

HB 1220 (Pr. No. 1393)—Without objection, the bill was called up from the Postponed Calendar by Mr. BERGER.

BILL ON SECOND READING AMENDED

HB 1220 (Pr. No. 1393)—The first section was read and agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. KELLER offered the following amendment:

Amend Sec. 2 (Sec. 3.1), page 10, line 20, by striking out "first day of June 1952" and inserting: effective date of this act

It was agreed to

The section was agreed to as amended.

The title was read and agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. KELLER.

The PRESIDENT. The bill, as amended, will be placed on the Second Reading Calendar.

REPORT FROM COMMITTEE

Mr. PROPERT, by unanimous consent, from the Committee on Finance, reported, as amended, **SB 728**.

BILLS ON FIRST READING

Mr. WEINER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

The bills were as follows:

SB 728, 767, 791, 800, 801, 823, 842, 852, HB 826, 884, 943, 1015, 1206, 1207, 1403, 1494, 1495, 1540, 1588, 1616, 1644, 1666, 1667, 1668, 1678 and 1704.

And said bills having been read at length for the first time,

Ordered, To be laid aside for second reading.

The PRESIDENT. At this time, the Chair turns the gavel over to the gentleman from Lackawanna, Senator McMEnamin, to preside.

The PRESIDING OFFICER (Hugh J. McMEnamin) in the Chair.

BILL INTRODUCED AND REFERRED

Messrs. LANE, KALMAN, MAHADY, SESLER, PECHAN and SHAFER, by unanimous consent, presented to the Chair **SB 859**, entitled:

An Act making an appropriation to the Bureau of Topographic and Geologic Survey of the Department of Internal Affairs, for the making of topographic maps.

Which was committed to the Committee on Appropriations.

RECONSIDERATION OF HB 1450

Mr. WEINER. Mr. President, I move that the Senate do now reconsider the vote by which House bill No. 1450, printer's No. 2376, failed of final passage on July 7, 1961.

The PRESIDING OFFICER. How did the Senator vote?

Mr. WEINER. Mr. President, I voted with the prevailing side.

Mr. LANE. Mr. President, I second the motion.

The PRESIDING OFFICER. How did the Senator vote?

Mr. LANE. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Without objection, the bill was passed over in its order at the request of Mr. WEINER.

The PRESIDING OFFICER. The bill will appear on tomorrow's Final Passage Calendar.

RECONSIDERATION OF HB 1241

Mr. WEINER. Mr. President, I move that the Senate do now reconsider the vote by which House bill No. 1241, printer's No. 1829, failed of final passage on July 10, 1961.

The PRESIDING OFFICER. How did the Senator vote?

Mr. WEINER. Mr. President, I voted with the prevailing side.

Mr. LANE. Mr. President, I second the motion.

The PRESIDING OFFICER. How did Senator vote?

Mr. LANE. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Without objection, the bill was passed over in its order at the request of Mr. WEINER.

The PRESIDING OFFICER. The bill will appear on tomorrow's Final Passage Calendar.

RECONSIDERATION OF HB 1353

Mr. WEINER. Mr. President, I move that the Senate do now reconsider the vote by which House bill No. 1353, printer's No. 1599, failed of final passage on July 6, 1961.

The PRESIDING OFFICER. How did the Senator vote?
Mr. WEINER. Mr. President, I voted with the prevailing side.

Mr. SEYLER. Mr. President, I second the motion.
The PRESIDING OFFICER. How did the Senator vote?
Mr. SEYLER. Mr. President, I voted with the prevailing side.

The motion was agreed to.
And the question recurring,
Shall the bill pass finally?
Without objection, the bill was passed over in its order at the request of Mr. WEINER.

The PRESIDING OFFICER. The bill will appear on tomorrow's Final Passage Calendar.

RECONSIDERATION OF SB 198

Mr. SEYLER. Mr. President, I move that the Senate do now reconsider the vote by which Senate bill No. 198, printer's No. 204, failed of final passage on July 10, 1961.

The PRESIDING OFFICER. How did the Senator vote?
Mr. SEYLER. Mr. President, I voted with the prevailing side.

Mr. WEINER. Mr. President, I second the motion.
The PRESIDING OFFICER. How did the Senator vote?
Mr. WEINER. Mr. President, I voted with the prevailing side.

The motion was agreed to.
And the question recurring,
Shall the bill pass finally?
Without objection, the bill was passed over in its order at the request of Mr. SEYLER.

The PRESIDING OFFICER. The bill will appear on tomorrow's Final Passage Calendar.

RECONSIDERATION OF HB 1367

Mr. LANE. Mr. President, I move that the Senate do now reconsider the vote by which House bill No. 1367, printer's No. 2402, failed of final passage on July 10, 1961.

The PRESIDING OFFICER. How did the Senator vote?

Mr. LANE. Mr. President, I voted with the prevailing side.

Mr. WEINER. Mr. President, I second the motion.
The PRESIDING OFFICER. How did the Senator vote?
Mr. WEINER. Mr. President, I voted with the prevailing side.

The motion was agreed to.
And the question recurring,
Shall the bill pass finally?
Without objection, the bill was passed over in its order at the request of Mr. LANE.

The PRESIDING OFFICER. The bill will appear on tomorrow's Final Passage Calendar.

ANNOUNCEMENTS BY THE SECRETARY

The following announcements were read by the Secretary of the Senate:

COMMITTEE MEETINGS
WEDNESDAY, JULY 12, 1961

Eastern Daylight

Saving Time	COMMITTEE	ROOM
9:00 A.M.	LABOR AND INDUSTRY	535
9:45 A. M.	EDUCATION	302
10:00 A. M.	JOINT SELECT COMMITTEE ON EDUCATION	245
11:00 A. M.	LAW AND ORDER	535A
REPUBLICAN CAUCUS		10:30 A.M., D.S.T.

NOTICE

WEDNESDAY, JULY 12, 1961

The Committee on Local Government will continue its hearing on House Bills No. 1221 and No. 1438 on July 12, 1961, starting at 10:00 a.m. and until 1:00 p.m., Daylight Saving Time, in the Democratic Caucus Room.

ADJOURNMENT

Mr. WEINER. Mr. President, I move that the Senate do now adjourn until Wednesday, July 12, 1961, at 10:30 a.m., Eastern Standard Time.

Mr. CAMIEL. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 3:36 p.m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

TUESDAY, July 11, 1961

The House met at 11 a. m., e. s. t.

The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

O God of Infinite Wisdom and Compassionate Love, in this noontide hour we come to Thee asking Thy presence and Thy blessing upon this session of this House of Representatives. Pour out Thy tender care and concern on each bowed head, we pray, and give each one the awareness of Thy nearness and continued guidance in life. But, O God, we humbly pray that, in the complexity of the problems which face the members of this House, Thou wilt ever stand as a beacon to light the way. Fill them with the competency of Thy divine wisdom and grant them the courage to do the task which needs to be done. In Thy blessed name. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Monday, July 10, 1961, will be postponed until printed.

The Chair hears none.

BILL INTRODUCED AND REFERRED

By Messrs. A. W. JOHNSON, FETTEROLF, HEFFNER and TOMPKINS. HOUSE BILL No. 1826.

An Act making an appropriation to the joint commission appointed by the House of Representatives and the Senate to conduct a full investigation of the licensing activities of the Department of Public Instruction.

Referred to the Committee on Rules.

RESOLUTION INTRODUCED AND REFERRED

By Messrs. A. W. JOHNSON, FETTEROLF, HEFFNER and TOMPKINS. (Concurrent) RESOLUTION No. 89.

In the House of Representatives, July 10, 1961.

The dismissal, on July 6, 1961, of William J. Kilroy of Philadelphia, as administrative officer of the Bureau of Professional Licensing, for interference with the procedures of the licensing boards has cast doubt on the integrity of that bureau.

It would be a public calamity if the Bureau of Professional Licensing, which issues licenses in such vital fields as the medical profession and nursing, should become subverted by the kind of influence-peddling and political manipulation which led to the dismissal of William J. Kilroy.

Dr. Charles H. Boehm, Superintendent of Public Instruction, in his letter of dismissal to Kilroy referred to testimony given by Eli G. Travis, Philadelphia contractor, that Travis had given seven hundred fifty dollars (\$750) to Harold V. Varani, recently dismissed as Chief of the Division of Architecture and Engineering in the Philadelphia Department of Public Property, at Varani's request so that Varani could get a civil engineering license from the State.

Eli G. Travis also gave testimony that William J. Kilroy was the man Varani said was helping out.

It has been established by the Justice Department that Kilroy wrote to Michael Baker, Jr., Chairman of the State

Registration Board of Professional Engineers in behalf of Varani.

Both Varani and Kilroy, testifying before Dr. Boehm, are reported to have denied knowing one another.

This would indicate that Kilroy might have been acting as an agent for an influence-peddling ring, evidently controlled by the Democratic party machine in Philadelphia, headed by Congressman William J. Green, Jr., political sponsor of Kilroy.

Dr. Boehm in his letter of dismissal of Kilroy and subsequent statements to newspaper reporters has left many questions unanswered.

Attorney General Anne X. Alpern has announced that more employes in the Bureau of Professional Licensing face dismissal as a result of serious irregularities in connection with licensing procedures.

The public has the right to know the full details on the Kilroy case as well as full information about any other influence-peddling leading to the debasement of standards of the sixteen licensing boards.

The only guarantee that the public will get all the facts is a legislative investigation of that bureau; therefore be it

Resolved (the Senate concurring), That the Speaker of the House of Representatives appoint five members of the House, three from the majority party and two from the minority party, and the President Pro Tempore of the Senate appoint five members of the Senate, three from the majority party and two from the minority party, who shall constitute a joint commission, to conduct forthwith a full investigation of the licensing activities of the Department of Public Instruction, to determine the extent of political influence upon licensing boards and what effect such political influence and pressure has had upon the granting of licenses; and be it further

Resolved, That the commission may meet, hold hearings, take testimony and make its investigation whether the General Assembly is in session or in adjournment. It may issue subpoenas under the hand and seal of its chairman commanding any person to appear before it and to answer questions touching matters properly being inquired into by the commission and to produce such books, papers, records and documents as the commission deems necessary. Any person who wilfully neglects or refuses to testify before this commission or to produce any books, papers, records, or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases. Each member of the commission shall have power to administer oaths and affirmations to witnesses appearing before the commission; and be it further

Resolved, That the commission make a report of its findings to the 1962 Session of the General Assembly, together with its recommendations for appropriate legislation or administrative procedures, or both, or any other action necessary to insure the future integrity of the Bureau of Professional Licensing.

Referred to the Committee on Rules.

SENATE MESSAGE

AMENDED SENATE BILL CONCURRED IN BY SENATE

The clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows:

SENATE BILL No. 94.

An Act amending the act of June 25, 1895 (P. L. 275), entitled "City Classification Law," further regulating the change of classification of cities, changing the method of reclassifying cities of the second class A upon a decrease in population, authorizing retention of existing classification, authorizing elections and permitting selection of a form of city government in such cases from among several optional plans.

SENATE MESSAGE

AMENDED HOUSE BILL RECALLED FROM
GOVERNOR CONCURRED IN BY SENATE

The clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1186.

An Act amending the act of June 28, 1935 (P. L. 477), "providing for the payment of the salary, medical and hospital expenses of members of the State Police Force and of policemen, firemen and park guards by the Commonwealth of Pennsylvania ***" extending the provisions thereof to members of the Delaware River Port Authority Police.

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading on said bill was reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

COMMUNICATIONS FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos.: 58, 59, 244, 417, 868, and 1165.

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, July 10, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 58, printer's No. 2398, entitled "An Act amending the act of November 19, 1959 (P. L. 1548), entitled 'An act to provide temporary supplemental retirement benefits for certain annuitants of the Public School Employees' Retirement System creating a special fund in the custody of the State Treasurer, imposing duties on the Public School Employees' Retirement Board and making an appropriation,' extending the time for receipt of benefits and including disability annuitants and making an appropriation."

DAVID L. LAWRENCE.

July 10, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 59, printer's No. 2399, entitled "An act amending the act of November 21, 1959 (P. L. 1590), entitled 'An act to provide temporary supplemental retirement benefits for certain annuitants of the State Employees' Retirement System creating a special fund in the custody of the State Treasurer imposing duties on the State Employees' Retirement Board and making an appropriation,' extending the time for receipt of benefits and including disability annuitants and making an appropriation."

DAVID L. LAWRENCE.

July 10, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 244, printer's No. 2054, entitled "An Act amending the act of June 15, 1937 (P. L. 1743), entitled as amended '1937 Magistrates' Court Act,' changing compensation and allowances for magistrates."

DAVID L. LAWRENCE.

July 10, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 417, printer's No. 782, entitled "An Act amending the act of April 29, 1959 (P. L. 58), entitled 'The Vehicle Code,' providing for traffic courts in cities of the third class."

DAVID L. LAWRENCE.

July 10, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 868, printer's No. 2067, entitled "An Act amending the act of June 24, 1939 (P. L. 872), entitled 'The Penal Code,' authorizing the production and performance of basketball, ice shows and ice hockey between certain hours on Sundays in cities of the first and second class."

DAVID L. LAWRENCE.

July 10, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 1165, printer's No. 2326, entitled "An Act amending the act of April 12, 1951 (P. L. 90), entitled 'Liquor Code,' authorizing issuance of special temporary permits for the retail sale of malt or brewed beverages at certain sporting events under certain conditions."

DAVID L. LAWRENCE.

SENATE MESSAGES

The clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Amended Senate bills non-concurred in by Senate Nos. 88 and 99.

Appointment of Conference Committee on Senate bills Nos. 88 and 99.

REPORTS FROM COMMITTEE

Mr. EDWARDS from the Committee on Elections, reported as committed, House bill No. 1774, entitled:

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333), further providing for the creation of new election districts and fixing the number of registered electors to be contained in election districts not using voting machines.

Mr. CAPANO from the Committee on Workmen's Compensation, reported as committed, House bill No. 1818, entitled:

An Act amending the "Unemployment Compensation Law," approved December 5, 1936 (1937, P. L. 2897), modifying certain provisions as to eligibility of individuals while in training or when permanently separated or when separated from a family enterprise.

Mr. DOUGHTEN from the Committee on Cities—Counties First Class, reported as committed, House bill No. 1822, entitled:

An Act amending "The First Class City Permanent Registration Act," approved March 30, 1937 (P. L. 115), further regulating the distribution of street lists.

Mr. DOUGHTEN from the Committee on Cities—Counties First Class, reported as committed, Senate bill No. 111, entitled:

An Act revising the procedure to be followed in cities of the first class concerning arrest detention and bail and substituting criminal summons for warrant of arrest in certain criminal cases.

Mr. PURSLEY from the Committee on Counties, reported as committed, Senate bill No. 295, entitled:

An Act fixing the fees of the prothonotaries in counties of the fourth, fifth, sixth, seventh and eighth class, fixing the time when they are to be paid and the person liable for payment and imposing powers and duties on the prothonotaries their deputies and clerks.

Mr. PARLANTE from the Committee on Cities—Counties First Class, reported as committed, Senate bill No. 576, entitled:

An Act fixing the salary of the register of wills of Philadelphia.

Mrs. S. A. ANDERSON from the Committee on Education, reported as committed, Senate bill No. 685, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," further providing for the administration of allocation of unencumbered funds.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1774, entitled:

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333), further providing for the creation of new election districts and fixing the number of registered electors to be contained in election districts not using voting machines.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1818, entitled:

An Act amending the "Unemployment Compensation Law," approved December 5, 1936 (1937, P. L. 2897), modifying certain provisions as to eligibility of individuals while in training or when permanently separated or when separated from a family enterprise.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1822, entitled:

An Act amending "The First Class City Permanent Registration Act," approved March 10, 1937 (P. L. 115), further regulating the distribution of street lists.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 111, entitled:

An Act revising the procedure to be followed in cities of the first class concerning arrest detention and bail and substituting criminal summons for warrant of arrest in certain criminal cases.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 295, entitled:

An Act fixing the fees of the prothonotaries in counties of the fourth fifth sixth seventh and eighth class fixing the time when they are to be paid and the person liable for payment and imposing powers and duties on the prothonotaries their deputies and clerks.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 576, entitled:

An Act fixing the salary of the register of wills of Philadelphia.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 685, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," further providing for the administration of allocation of unencumbered funds.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

BILL RE-REFERRED

Mrs. S. A. ANDERSON from the Committee on State Government, returned with the recommendation that it be re-referred to the Committee on Judiciary, Senate bill No. 776, entitled:

An Act amending the act of June 2, 1937 (P. L. 1208), entitled "An act to describe define and officially adopt a system of coordinates for designating the positions of points on the surface of the earth within the Commonwealth of Pennsylvania," imposing duties on the Department of Internal Affairs and making an appropriation.

The SPEAKER. The bill is re-referred to the Committee on Judiciary.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1650, entitled:

An Act amending "The Insurance Company Law of 1921," approved May 17, 1921 (P. L. 682), prohibiting cancellation of certain accident and sickness policies.

The first section was read.

On the question,

Will the House agree to the section? ..

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Insurance.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1741, entitled:

An Act amending the "Dry Cleaning and Dyeing Law,"

approved May 14, 1949 (P. L. 1342), defining coin-operated dry cleaning and providing that certain provisions of the act shall not be applicable to dry cleaning by that means.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1810, entitled:

An Act amending the act of June 19, 1911 (P. L. 1055), entitled "An act authorizing the release on probation of certain convicts instead of imposing sentences * * *" by further regulating the manner of sentencing of convicts in certain cases.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1811, entitled:

An Act providing for the regulation of credit life insurance and credit accident and health insurance conferring powers and imposing duties on the Insurance Commissioner and prescribing penalties.

The first to eleventh sections inclusive were separately read and agreed to.

The twelfth section was read.

On the question,

Will the House agree to the section?

Mr. HAMILTON offered the following amendment:

Amend Sec. 12, page 15, line 17, by inserting after "ACT" "with respect to approval of rates"

It was agreed to.

The section was agreed to as amended.

The thirteenth to sixteenth sections and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 405, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," further regulating suspensions of operators' licenses or learners' permits for violation of maximum speed limits.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Tompkins for Mr. A. W. JOHNSON for today.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 86, entitled:

An Act reenacting and amending the act of May 21,

1943 (P. L. 340), entitled as amended "An act empowering municipality authorities cities of the third class boroughs incorporated towns and townships adjoining each other to cooperate with each other through joint agreements in the exercise of their governmental powers duties and functions," extending the act to counties of the third fourth fifth sixth seventh and eighth classes further regulating joint purchases and the supply and exchange of certain services and functions and providing for the appointment of optional joint advisory boards and prescribing their powers and duties.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—163

Adams,	Fry,	Limper,	Reidenbach,
Anderson, J. H.,	Galley,	Long, Wm. Jas.,	Renwick,
Anderson, S. A.,	Gallagher,	Long, Wm. Jos.,	Riley,
Arlene,	Gelfand,	Lutty,	Rovasek,
Auker,	George,	Magee,	Rubin,
Bachman,	Gibb,	Manbeck,	Rudisill,
Backenstoe,	Goldstein, M. H.,	Markley,	Rutherford,
Blair,	Goodrich,	Marsh,	Scarcelli,
Boles,	Gramlich,	Maxwell,	Schaaf,
Bonner,	Gray,	May,	Schuster,
Bossert,	Greenlee,	McCandless,	Seltzer,
Bower,	Gremminger,	McCann,	Shelton,
Breth,	Gross,	McCormack,	Sherman,
Buchanan,	Guesman,	McDevitt,	Shupnik,
Bush,	Guthrie,	McDonald,	Simmons,
Capano,	Hamilton,	McInroy,	Snare,
Capitolo,	Hankins,	McKeever,	Stank,
Cauley,	Hartley,	McLaughlin,	Steckel,
Cianfrani,	Haudenschild,	McNally,	Stone,
Cioffi,	Heavey,	Meholchick,	Stimmel,
Clarke,	Heffner,	Miller,	Strausser,
Comer,	Holliday,	Mills,	Sullivan, J. A.,
Cooley,	Horst,	Monroe,	Sullivan, T. F.,
Crossin,	Irvia,	Morley,	Taylor,
Dennison,	Jenkins,	Munley,	Varnier,
Donaldson,	Jim,	Murphy,	Verona,
Dougherty,	Jones,	Musto,	Walsh,
Doughten,	Kamyk,	Needham,	Wargo,
Down,	Kelly,	O'Dell,	Weidner,
Eilberg,	Kessler,	Oglive,	Welsh,
Elvey,	King,	Parlante,	Whittaker,
Eshback,	Klein,	Pashley,	Willard,
Eshleman,	Knecht,	Perry,	Williams, A. D.,
Esler,	Kooker,	Petrosky,	Wilt,
Ewing,	Kornick,	Piper,	Wood,
Filo,	Korns,	Polaski,	Worley,
Flynn,	Kramer,	Polen,	Wynd,
Foerster,	Lamb,	Prendergast,	Zemmer,
Foor,	Lawson,	Price,	Zimmerman,
Fox,	Lee, A. M.,	Pursley,	Andrews,
Frascella,	Leonard,	Reibman,	Speaker

NAYS—25

Ashton,	Helm,	Keser,	Slack,
Davis,	Henzel,	Kernaghan,	Stiteler,
Dengler,	Hocker,	Lippincott,	Tompkins,
Edwards,	Holl,	Merry,	Ujobal,
Fetterolf,	Isaacs,	Odorisio,	Wall,
Gibbons,	Johnson, R. P.,	Sakulsky,	Willaredt,
Goldstein, J. H.,			

NOT VOTING—22

Bowman,	Holman,	Murray,	Tomasclik,
Branca,	Johnson, A. W.,	O'Donnell, J. A.,	Trusio,
Curwood,	Kistler,	O'Donnell, J. P.,	Wescott,
Farabaugh,	Lee, K. B.,	Royer,	Williams, E. S.,
Fineman,	Mihm,	Thompson,	Yetter,
Flumer,	Mullen,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of Senate bill No. 312, entitled:

An Act amending the act of July 24, 1913 (P. L. 965), entitled "Commodities Weight and Measure Law," requiring additional markings on certain packages.

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. SELTZER asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the clerk for information.

Amend Title, page 1, fourth to seventh lines of title, by striking out "AND EXEMPTING PACKAGED MEAT PROD—" in fourth line, and all of fifth to seventh lines of title.

Amend Sec. 1 (Sec. 7), page 2, line 20; page 3, line 1, by striking out both of said lines.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 219, entitled:

An Act amending the act of June 19, 1931 (P. L. 589), entitled as amended "Barbers License Law," altering the requirements for licensure regulating hours for barber schools permitting further regulation by health authorities providing for the health sanitation and management of barber shops changing fees prescribing penalties requiring reports and making an appropriation.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—167

Adams,	George,	Limper,	Pursley,
Anderson, J. H.,	Gibb,	Lippincott,	Reibman,
Anderson, S. A.,	Gibbons,	Long, Wm. Jas.,	Reidenbach,
Arlene,	Goldstein, J. H.,	Long, Wm. Jos.,	Renwick,
Ashton,	Goodrich,	Lutty,	Riley,
Auker,	Gramlich,	Magee,	Rovasek,
Bachman,	Gray,	Manbeck,	Rubin,
Backenstoe,	Greenlee,	Markley,	Rudisill,
Blair,	Gremminger,	Marsh,	Rutherford,
Boies,	Guesman,	Maxwell,	Sakulsky,
Bonner,	Guthrie,	May,	Scarcelli,
Bossert,	Hamilton,	McCandless,	Schaaf,
Bower,	Hankins,	McCann,	Schuster,
Buchanan,	Hartley,	McDevitt,	Seltzer,
Bush,	Haudenschild,	McDonald,	Shelton,
Capano,	Heavey,	McInroy,	Sherman,
Capitolo,	Heffner,	McKeever,	Shupnik,
Cauley,	Helm,	McLaughlin,	Simmons,
Cianfrani,	Hocker,	McNally,	Slack,
Cioffi,	Holliday,	Meholchick,	Snare,
Clarke,	Horst,	Merry,	Stank,
Comer,	Irlis,	Miller,	Steckel,
Cooley,	Isaacs,	Mills,	Stimmel,
Crossin,	Jenkins,	Monroe,	Stiteler,
Davis,	Jim,	Munley,	Stone,
Dengler,	Jones,	Murphy,	Sullivan, J. A.,
Dennison,	Kamyk,	Murray,	Sullivan, T. F.,
Donaldson,	Kelser,	Musto,	Taylor,
Dougherty,	Kernaghan,	Needham,	Tomasick,
Down,	Kessler,	O'Dell,	Ujoral,
Ellberg,	King,	O'Donnell, J. A.,	Verona,
Elvey,	Kistler,	Odorlsio,	Wall,
Eshback,	Klein,	Ogilvie,	Wargo,
Eshleman,	Knecht,	Parlante,	Weldner,
Ewing,	Kooker,	Pashley,	Welsh,
Farabaugh,	Kornick,	Perry,	Whittaker,
Flynn,	Korns,	Petrosky,	Willard,
Frascella,	Kramer,	Piper,	Wood,
Fry,	Lamb,	Polaski,	Wynd,
Galley,	Lawson,	Polen,	Zember,
Gallagher,	Lee, A. M.,	Prendergast,	Zimmerman,
Gelfand,	Leonard,	Price,	

NAYS—22

Branca,	Foor,	Morley,	Willaredt,
Doughten,	Fox,	Mullen,	Williams, A. D.,
Edwards,	Goldstein, M. H.,	O'Donnell, J. P.,	Wilt,
Esler,	Holl,	Strausser,	Worley,
Fetterolf,	Johnson, R. P.,	Tompkins,	Andrews,
Foerster,	McCormack,		Speaker

NOT VOTING—21

Bowman,	Gross,	Lee, K. B.,	Varner,
Breth,	Henzel,	Mihm,	Walsh,
Curwood,	Holman,	Royer,	Wescott,
Filo,	Johnson, A. W.,	Thompson,	Williams, E. S.,
Fineman,	Kelly,	Trusio,	Yetter,
Fulmer,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 293, entitled:

An Act amending the act of May 15, 1874 (P. L. 186), entitled "An act declaring what offices are incompatible" making the offices of mayor controller and treasurer of third class cities and members of the legislature incompatible.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Cities—Third Class.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 306, entitled:

An Act amending the act of July 8, 1957 (P. L. 579), entitled "An act establishing minimum compensation and increments for members of the faculty and administration of the Thaddeus Stevens Trade School and imposing duties on the Board of Trustees of such school and the Superintendent of Public Instruction" changing the salaries and increments of teachers and supervisors and providing for payment on a monthly basis.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—197

Adams,	Galley,	Leonard,	Renwick,
Anderson, J. H.,	Gallagher,	Limper,	Riley,
Anderson, S. A.,	Gelfand,	Lippincott,	Rovansek,
Arlene,	George,	Long, Wm. Jas.,	Rubin,
Ashton,	Gibb,	Long, Wm. Jos.,	Rudisill,
Auker,	Gibbons,	Lutty,	Rutherford,
Bachman,	Goldstein, J. H.,	Magee,	Scarcelli,
Backenstoe,	Goldstein, M. H.,	Manbeck,	Schaaf,
Blair,	Goodrich,	Markley,	Schuster,
Boles,	Gramlich,	Marsh,	Seltzer,
Bonner,	Gray,	Maxwell,	Shelton,
Bossert,	Greenlee,	May,	Sherman,
Bower,	Gremminger,	McCandless,	Shupnik,
Bowman,	Gross,	McCann,	Simmons,
Branca,	Guesman,	McCormack,	Slack,
Breth,	Guthrie,	McDevitt,	Snare,
Buchanan,	Hamilton,	McDonald,	Stank,
Bush,	Hankins,	McInroy,	Steckel,
Capano,	Hartley,	McKeever,	Stimmel,
Capitolo,	Haudenshield,	McLaughlin,	Stiteler,
Cauley,	Heavey,	McNally,	Stone,
Cianfrani,	Heffner,	Meholchick,	Strausser,
Cioffi,	Helm,	Merry,	Sullivan, J. A.,
Clarke,	Henzel,	Miller,	Sullivan, T. F.,
Comer,	Hocker,	Mills,	Taylor,
Cooley,	Holl,	Monroe,	Tomasck,
Crossin,	Holiday,	Morley,	Tompkins,
Davis,	Horst,	Mullen,	Ujobai,
Dengler,	Irviss,	Munley,	Varnar,
Dennison,	Isaacs,	Murphy,	Verona,
Donaldson,	Jenkins,	Murray,	Wall,
Dougherty,	Jim,	Musto,	Walsh,
Doughten,	Johnson, R. P.,	Needham,	Wargo,
Down,	Jones,	O'Dell,	Weldner,
Edwards,	Kamyk,	O'Donnell, J. A.,	Welsh,
Ellberg,	Kelser,	O'Donnell, J. P.,	Wescott,
Elvey,	Kelly,	Odorisio,	Whittaker,
Eshback,	Kernaghan,	Ogilvie,	Willard,
Eshleman,	Kessler,	Parlante,	Willaredt,
Esler,	King,	Pashley,	Williams, A. D.,
Ewing,	Kistler,	Perry,	Wilt,
Farabaugh,	Klein,	Petrosky,	Wood,
Fetterolf,	Knecht,	Piper,	Worley,
Filo,	Kooker,	Polaski,	Wynd,
Flynn,	Kornick,	Polen,	Yetter,
Foerster,	Korns,	Price,	Zember,
Foor,	Kramer,	Pursley,	Zimmerman,
Fox,	Lamb,	Reibman,	Andrews,
Frascella,	Lawson,	Reidenbach,	Speaker
Fry,	Lee, A. M.,		

NAYS—0

NOT VOTING—13

Curwood,	Johnson, A. W.,	Prendergast,	Trusio,
Fineman,	Lee, K. B.,	Royer,	Williams, E. S.,
Fulmer,	Mihm,	Thompson,	Yetter,
Holman,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 309, entitled:

An Act amending the act of May 17, 1921 (P. L. 682), entitled "The Insurance Company Law of 1921" providing for the merger or consolidation of domestic and foreign life insurance companies.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—193

Anderson, J. H.,	Gallagher,	Limper,	Reidenbach,
Anderson, S. A.,	Gelfand,	Lippincott,	Renwick,
Arlene,	George,	Long, Wm. Jas.,	Riley,
Ashton,	Gibb,	Long, Wm. Jos.,	Rovansek,
Auker,	Gibbons,	Lutty,	Rubin,
Bachman,	Goldstein, J. H.,	Magee,	Rudisill,
Backenstoe,	Goldstein, M. H.,	Manbeck,	Rutherford,
Blair,	Goodrich,	Markley,	Scarcelli,
Boles,	Gramlich,	Marsh,	Schaaf,
Bonner,	Gray,	Maxwell,	Schuster,
Bossert,	Greenlee,	May,	Seltzer,
Bower,	Gremminger,	McCandless,	Shelton,
Bowman,	Gross,	McCann,	Sherman,
Branca,	Guesman,	McCormack,	Shupnik,
Breth,	Guthrie,	McDevitt,	Simmons,
Buchanan,	Hamilton,	McDonald,	Slack,
Bush,	Hankins,	McInroy,	Snare,
Capano,	Hartley,	McKeever,	Stank,
Capitolo,	Haudenshield,	McLaughlin,	Steckel,
Cauley,	Heavey,	McNally,	Stimmel,
Cianfrani,	Heffner,	Meholchick,	Stiteler,
Cioffi,	Helm,	Merry,	Stone,
Clarke,	Hocker,	Miller,	Strausser,
Comer,	Holl,	Mills,	Sullivan, J. A.,
Cooley,	Holiday,	Monroe,	Sullivan, T. F.,
Crossin,	Horst,	Morley,	Taylor,
Davis,	Irviss,	Mullen,	Tomasck,
Dengler,	Isaacs,	Munley,	Tompkins,
Dennison,	Jenkins,	Murphy,	Ujobai,
Donaldson,	Jim,	Murray,	Varnar,
Dougherty,	Johnson, R. P.,	Musto,	Verona,
Doughten,	Jones,	Needham,	Wall,
Down,	Kamyk,	O'Dell,	Walsh,
Edwards,	Kelser,	O'Donnell, J. A.,	Wargo,
Ellberg,	Kelly,	O'Donnell, J. P.,	Weldner,
Elvey,	Kernaghan,	Odorisio,	Welsh,
Eshback,	Kessler,	Ogilvie,	Whittaker,
Eshleman,	King,	Parlante,	Willard,
Esler,	Kistler,	Pashley,	Willaredt,
Ewing,	Klein,	Perry,	Williams, A. D.,
Farabaugh,	Knecht,	Piper,	Wilt,
Fetterolf,	Kooker,	Polaski,	Wood,
Filo,	Kornick,	Polen,	Worley,
Flynn,	Kramer,	Price,	Wynd,
Foerster,	Lamb,	Pursley,	Yetter,
Foor,	Lawson,	Reibman,	Zember,
Fox,	Lee, A. M.,	Reidenbach,	Zimmerman,
Frascella,	Leonard,		Andrews,
Fry,			Speaker

NAYS—3

NOT VOTING—14

Adams,	Korns,	Sakulsky,
Curwood,	Henzel,	Mihm,
Eshleman,	Holman,	Royer,
Fineman,	Johnson, A. W.,	Thompson,
Fulmer,	Lee, K. B.,	
		Trusio,
		Wescott,
		Williams, E. S.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 317, entitled:

An Act amending the act of April 12, 1951 (P. L. 90), entitled "Liquor Code" prohibiting the refilling of any liquor bottle or other liquor container.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Adams,	Fry,	Lawson,	Reibman,
Anderson, J. H.,	Fulmer,	Lee, A. M.,	Reidenbach,
Anderson, S. A.,	Galley,	Leonard,	Renwick,
Arlene,	Gallagher,	Limper,	Riley,
Ashton,	Gelfand,	Lippincott,	Rovanse,
Auker,	George,	Long, Wm. Jas.,	Rubin,
Bachman,	Gibb,	Long, Wm. Jos.,	Rutherford,
Backenstoe,	Gibbons,	Lutty,	Rudisill,
Blair,	Goldstein, J. H.,	Magee,	Sakulsky,
Boles,	Goldstein, M. H.,	Manbeck,	Schaaf,
Bonner,	Goodrich,	Markley,	Schuster,
Bossert,	Gramlich,	Marsh,	Seltzer,
Bower,	Gray,	Maxwell,	Shelton,
Branca,	Greenlee,	May,	Sherman,
Breth,	Gremminger,	McCandless,	Shupnik,
Buchanan,	Gross,	McCann,	Simmons,
Bush,	Guesman,	McCormack,	Slack,
Capano,	Guthrie,	McDevitt,	Snare,
Capitolo,	Hamilton,	McDonald,	Stank,
Cauley,	Hankins,	McInroy,	Steckel,
Cianfrani,	Hartley,	McKeever,	Stimmel,
Cioffi,	Haudenschild,	McLaughlin,	Stiteler,
Clarke,	Heavey,	McNally,	Stone,
Comer,	Heffner,	Meholchick,	Strausser,
Cooley,	Helm,	Merry,	Sullivan, J. A.,
Crossin,	Henzel,	Miller,	Sullivan, T. F.,
Davis,	Hocker,	Mills,	Taylor,
Dengler,	Holl,	Monroe,	Tomasck,
Dennison,	Holliday,	Morley,	Tompkins,
Donaldson,	Horst,	Mullen,	Ujobal,
Dougherty,	Irvis,	Munley,	Verner,
Doughten,	Isaacs,	Murphy,	Verona,
Down,	Jenkins,	Murray,	Wall,
Edwards,	Jim,	Musto,	Walsh,
Eilberg,	Johnson, R. P.,	Needham,	Wargo,
Elvey,	Jones,	O'Dell,	Weidner,
Eshback,	Kamyk,	O'Donnell, J. A.,	Welsh,
Eshleman,	Keiser,	O'Donnell, J. P.,	Whittaker,
Esler,	Kernaghan,	Odorisio,	Willard,
Ewing,	Kessler,	Ogilvie,	Willaredt,
Farabaugh,	King,	Parlante,	Williams, A. D.,
Fetterolf,	Kistler,	Pashley,	Williams, E. S.,
Filo,	Klein,	Perry,	Wilt,
Fineman,	Kooker,	Petrosky,	Wood,
Flynn,	Kornick,	Polaski,	Worley,
Foerster,	Korns,	Prendergast,	Wynd,
Foor,	Kramer,	Price,	Yetter,
Fox,	Lamb,	Pursley,	Zimmerman,
Frascella,			Andrews,

Speaker

NAYS—0

NOT VOTING—14

Bowman,	Knecht,	Royer,	Trusio,
Curwood,	Lee, K. B.,	Scarcell,	Wescott,
Holman,	Mihm,	Thompson,	Williams, E. S.,
Johnson, A. W.,	Polen,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 318, entitled:

An Act amending the act of April 12, 1951 (P. L. 90), entitled "Liquor Code" further regulating license fees and default in the payment of such fees.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—186

Adams,	Galley,	Lee, K. B.,	Riley,
Anderson, J. H.,	Gallagher,	Leonard,	Rovanse,
Anderson, S. A.,	Gelfand,	Limper,	Royer,
Arlene,	George,	Lippincott,	Rubin,
Ashton,	Gibb,	Long, Wm. Jas.,	Rudisill,
Bachman,	Gibbons,	Long, Wm. Jos.,	Rutherford,
Backenstoe,	Goldstein, J. H.,	Lutty,	Sakulsky,
Blair,	Goldstein, M. H.,	Magee,	Scarcell,
Boles,	Gramlich,	Manbeck,	Schaaf,
Bonner,	Gray,	Markley,	Schuster,
Bossert,	Greenlee,	Marsh,	Seltzer,
Branca,	Gremminger,	Maxwell,	Shelton,
Breth,	Gross,	May,	Sherman,
Buchanan,	Guesman,	McCandless,	Shupnik,
Bush,	Guthrie,	McCann,	Simmons,
Capano,	Hamilton,	McCormack,	Slack,
Capitolo,	Hankins,	McDevitt,	Snare,
Cauley,	Hartley,	McDonald,	Stank,
Cianfrani,	Haudenschild,	McInroy,	Steckel,
Cioffi,	Heavey,	McKeever,	Stimmel,
Clarke,	Heffner,	McLaughlin,	Stiteler,
Comer,	Helm,	McNally,	Stone,
Cooley,	Henzel,	Meholchick,	Sullivan, J. A.,
Crossin,	Hocker,	Merry,	Sullivan, T. F.,
Davis,	Holl,	Morley,	Taylor,
Dengler,	Horst,	Mullen,	Tomasck,
Dennison,	Irvis,	Murray,	Ujobal,
Donaldson,	Isaacs,	Musto,	Verner,
Dougherty,	Jenkins,	Needham,	Verona,
Doughten,	Jim,	O'Dell,	Walsh,
Down,	Johnson, R. P.,	O'Donnell, J. A.,	Wargo,
Edwards,	Jones,	O'Donnell, J. P.,	Weidner,
Eilberg,	Kamyk,	Odorisio,	Welsh,
Elvey,	Keiser,	Ogilvie,	Whittaker,
Eshback,	Kelly,	Parlante,	Willard,
Eshleman,	Kernaghan,	Pashley,	Willaredt,
Esler,	King,	Perry,	Williams, A. D.,
Ewing,	Kistler,	Petrosky,	Williams, E. S.,
Farabaugh,	Klein,	Piper,	Wilt,
Fetterolf,	Knecht,	Polaski,	Wood,
Filo,	Kooker,	Polen,	Worley,
Fineman,	Kornick,	Prendergast,	Wynd,
Flynn,	Korns,	Reibman,	Yetter,
Foerster,	Kramer,	Reidenbach,	Zimmerman,
Foor,	Lamb,	Renwick,	Andrews,
Fox,	Lawson,		Speaker
Frascella,	Lee, A. M.,		

NAYS—16

Auker,	Goodrich,	Munley,	Strausser,
Bower,	Holliday,	Murphy,	Tompkins,
Edwards,	Kessler,	Price,	Wall,
Foor,	Miller,	Pursley,	Wescott,

NOT VOTING—8

Bowman,	Holman,	Mihm,	Thompson,
Curwood,	Johnson, A. W.,	Monroe,	Trusio,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

ANNOUNCEMENT

Mr. McCANN. Mr. Speaker, may I use this moment of time to speak to the House about our schedule today?

The SPEAKER. The Chair would be pleased if the majority leader would do so.

Mr. McCANN. Mr. Speaker, we have a series of bills which have been agreed to be voted on, some Senate bills and then some bills that are on final passage, and bills that are on the postponed calendar.

Following that we will break for respective caucuses, covering final passage calendar and covering Senate bills that have not been covered by the respective caucuses at this point. I believe the request will be for one hour or one hour and 15 minutes for caucus when we do break. Then there will be perhaps 15 more bills to vote, counting the final passage postponed calendar, before we break for caucus.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 417, entitled:

An Act amending the act of May 23, 1949 (P. L. 1669), entitled as amended, "An act to provide revenue for school districts of the first class by imposing a tax on persons engaging in certain businesses, professions, occupations, trades, vocations and commercial activities therein . . ." establishing an alternative appeal procedure in certain cases.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Adams,	Galley,	Leonard,	Riley,
Anderson, J. H.,	Gallagher,	Limper,	Rovansek,
Anderson, S. A.,	Gelfand,	Lippincott,	Royer,
Arlene,	George,	Long, Wm. Jas.,	Rubin,
Ashton,	Gibb,	Long, Wm. Jos.,	Rudisill,
Auker,	Gibbons,	Lutty,	Rutherford,
Bachman,	Goldstein, J. H.,	Magee,	Sakulsky,
Backenstoe,	Goldstein, M. H.,	Manbeck,	Scarcelli,
Blair,	Goodrich,	Markley,	Schaaf,
Boies,	Gramlich,	Marsh,	Schuster,
Bonner,	Gray,	Maxwell,	Seltzer,
Bossert,	Greenlee,	May,	Shelton,
Bower,	Gremminger,	McCandless,	Sherman,
Branca,	Gross,	McCann,	Shupnik,
Breth,	Guesman,	McCormack,	Simmons,
Buchanan,	Guthrie,	McDevitt,	Slack,
Bush,	Hamilton,	McDonald,	Snare,
Capano,	Hankins,	McInroy,	Stank,
Capitolo,	Hartley,	McKeever,	Steckel,
Cauley,	Haudenschild,	McLaughlin,	Stimmel,
Cianfrani,	Heavey,	McNally,	Stiteler,
Cioffi,	Hefner,	Meholchick,	Stone,
Clarke,	Helm,	Merry,	Strausser,
Comer,	Henzel,	Miller,	Sullivan, J. A.,
Cooley,	Hocker,	Mills,	Sullivan, T. F.,
Crossin,	Holl,	Monroe,	Taylor,
Davis,	Holliday,	Morley,	Tomasick,

Dengler,	Horst,	Mullen,	Tompkins,
Dennison,	Irvis,	Munley,	Ujobal,
Donaldson,	Isaacs,	Murphy,	Varnar,
Dougherty,	Jenkins,	Murray,	Verona,
Doughten,	Jim,	Musto,	Wall,
Down,	Johnson, R. P.,	Needham,	Walsh,
Edwards,	Jones,	O'Dell,	Wargo,
Ellberg,	Kamyk,	O'Donnell, J. A.,	Weidner,
Elvey,	Kelser,	O'Donnell, J. P.,	Welsh,
Eshback,	Kelly,	Odorisio,	Wescott,
Eshleman,	Kernaghan,	Ogilvie,	Whittaker,
Esler,	Kessler,	Parlante,	Willard,
Ewing,	King,	Pashley,	Willaredt,
Farabaugh,	Kistler,	Perry,	Williams, A. D.,
Fetterolf,	Klein,	Petrosky,	Williams, E. S.,
Filo,	Knecht,	Piper,	Wilt,
Fineman,	Kooker,	Polaski,	Wood,
Flynn,	Kornick,	Polen,	Worley,
Foerster,	Korns,	Prendergast,	Wynd,
Foor,	Kramer,	Price,	Yetter,
Fox,	Lamb,	Pursley,	Zember,
Frascella,	Lawson,	Reibman,	Zimmerman,
Fry,	Lee, A. M.,	Reidenbach,	Andrews,
Fulmer,	Lee, K. B.,	Renwick,	Speaker

NAYS—0

NOT VOTING—7

Bowman,	Holman,	Mihm,	Trusio,
Curwood,	Johnson, A. W.,	Thompson,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House preceded to the third reading and consideration of Senate bill No. 629, entitled:

An Act amending the act of May 17, 1956 (P. L. 1609), entitled "Pennsylvania Industrial Development Authority Act," empowering the Authority to purchase first mortgages and to make payments on first mortgages on industrial development projects where necessary to protect loans made by the Authority or industrial development projects and increasing the amount the Authority can contract to loan and decreasing the amount that must be provided by industrial development agencies in the financing of industrial development projects and removing the limitation as to the amount of Authority loans on industrial development projects where Federal agencies participate in the financing of such projects.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Adams,	Gelfand,	Lippincott,	Rovansek,
Anderson, J. H.,	George,	Long, Wm. Jas.,	Royer,
Anderson, S. A.,	Gibb,	Long, Wm. Jos.,	Rubin,
Arlene,	Gibbons,	Lutty,	Rudisill,
Ashton,	Goldstein, J. H.,	Magee,	Rutherford,
Bachman,	Goldstein, M. H.,	Manbeck,	Sakulsky,
Backenstoe,	Goodrich,	Markley,	Scarcelli,
Blair,	Gramlich,	Marsh,	Schaaf,
Boies,	Gray,	Maxwell,	Schuster,
Bonner,	Greenlee,	May,	Seltzer,
Bossert,	Gremminger,	McCandless,	Shelton,
Bower,	Gross,	McCann,	Sherman,
Branca,	Guesman,	McCormack,	Shupnik,
Breth,	Guthrie,	McDevitt,	Simmons,
Buchanan,	Hamilton,	McDonald,	Slack,
Bush,	Hankins,	McInroy,	Snare,
Capano,	Hartley,	McKeever,	Stank,

Capitolo,	Haudenshield,	McLaughlin,	Steckel,
Cauley,	Heavey,	McNally,	Stimmel,
Cianfrani,	Heffner,	Meholchick,	Stiteler,
Cioffi,	Henzel,	Merry,	Stone,
Clarke,	Hooker,	Miller,	Strausser,
Comer,	Holl,	Mills,	Sullivan, J. A.,
Cooley,	Holliday,	Monroe,	Sullivan, T. F.,
Crossin,	Horst,	Morley,	Taylor,
Davis,	Irvis,	Mullen,	Tompkins,
Dengler,	Isaacs,	Munley,	Tomasick,
Dennison,	Jenkins,	Murphy,	Ujobal,
Donaldson,	Jim,	Murray,	Varner,
Dougherty,	Johnson, R. P.,	Musto,	Verona,
Doughten,	Jones,	Needham,	Wall,
Down,	Kamyk,	O'Dell,	Walsh,
Edwards,	Keiser,	O'Donnell, J. A.,	Wargo,
Eilberg,	Kelly,	O'Donnell, J. P.,	Weldner,
Elvey,	Kernaghan,	Odorisio,	Welsh,
Eshback,	Kessler,	Ogilvie,	Wescott,
Eshleman,	King,	Parlante,	Whittaker,
Esler,	Kistler,	Pashley,	Willard,
Ewing,	Klein,	Perry,	Willaredt,
Farabaugh,	Knecht,	Petrosky,	Williams, A. D.,
Fineman,	Kooker,	Piper,	Williams, E. S.,
Flynn,	Kornick,	Polaski,	Wilt,
Foerster,	Korns,	Polen,	Wood,
Foor,	Kramer,	Prendergast,	Worley,
Fox,	Lamb,	Price,	Wynd,
Frascella,	Lawson,	Pursley,	Yetter,
Fry,	Lee, A. M.,	Reibman,	Zember,
Fulmer,	Lee, K. B.,	Reidenbach,	Zimmerman,
Galley,	Leonard,	Renwick,	Andrews,
Gallagher,	Limper,	Riley,	Speaker

NAYS—1

Auker,

NOT VOTING—10

Bowman,	Filo,	Johnson, A. W.,	Thompson,
Curwood,	Helm,	Mihm,	Trusio,
Fetterolf,	Holman,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Mr. HELM IN THE CHAIR

BILL ON FINAL PASSAGE POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on final passage of House bill No. 527, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), providing for the exchange of existing retail dispenser's licenses for liquor licenses despite the limitations of the quota provisions of this act and establishing procedure therefor.

On the question,

Shall the bill pass finally?

The SPEAKER pro tempore. For what purpose does the gentleman from Elk, Mr. Renwick, rise?

Mr. RENWICK. Mr. Speaker,—

The SPEAKER pro tempore. The gentleman yields to the gentleman from Cameron, Mr. Tompkins. For what purpose does the gentleman from Cameron rise?

Mr. TOMPKINS. Mr. Speaker, I understood that we would not call up any of these postponed bills, all of which are reconsidered bills, until after our caucus.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Elk, Mr. Renwick.

Mr. RENWICK. Mr. Speaker, very briefly I want to call your attention to this bill. I think there were a number of members who were not fully acquainted with it the last time we ran it.

This bill merely gives a person who has a beer license the right to trade it in and get a whiskey license. It pertains to clubs and also retail licensees. As you know, a number of years ago when these clubs were small they only applied for a beer license because that was all they needed at that time. But a lot of clubs have come to be large now, and, of course, they serve food and a number of other things and they would also like to serve cocktails with this food. Well, as you know, with a beer license they can only serve beer, so they are asking if they have the privilege to turn in their beer licenses and obtain a liquor license.

Now it does not change the quota one iota. It does not increase the number or decrease it. It just keeps it at its present amount, so I am asking everybody to support this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—109

Adams,	Gelfand,	Markley,	Riley,
Anderson, S. A.,	Gray,	McCann,	Rovanssek,
Arlene,	Greenlee,	McDevitt,	Rubin,
Auker,	Gremminger,	McDonald,	Sakulsky,
Bachman,	Guesman,	McKeever,	Scarcelli,
Backenstoe,	Hankins,	McLaughlin,	Schaaf,
Boles,	Hartley,	McNally,	Schuster,
Bonner,	Holliday,	Meholchick,	Seltzer,
Branca,	Irvis,	Mills,	Shelton,
Capitolo,	Jenkins,	Monroe,	Sherman,
Cauley,	Jim,	Mullen,	Shupnik,
Cianfrani,	Jones,	Munley,	Snare,
Cioffi,	Kamyk,	Murray,	Stank,
Clarke,	Kelly,	Musto,	Stimmel,
Comer,	King,	Needham,	Stone,
Cooley,	Klein,	O'Donnell, J. A.,	Sullivan, J. A.,
Crossin,	Kornick,	O'Donnell, J. P.,	Sullivan, T. F.,
Dougherty,	Kramer,	Parlante,	Taylor,
Doughten,	Lamb,	Perry,	Tomasick,
Eilberg,	Lawson,	Petrosky,	Tompkins,
Eshback,	Lee, K. B.,	Piper,	Verona,
Farabaugh,	Leonard,	Polaski,	Wargo,
Fetterolf,	Limper,	Prendergast,	Weldner,
Filo,	Long, Wm. Jas.,	Price,	Welsh,
Fineman,	Long, Wm. Jos.,	Reibman,	Yetter,
Flynn,	Lutty,	Reidenbach,	Zember,
Frascella,	Manbeck,	Renwick,	Andrews,
Gallagher,			Speaker

NAYS—90

Anderson, J. H.,	Galley,	Kessler,	Royer,
Ashton,	George,	Kistler,	Rudisill,
Blair,	Gibb,	Knecht,	Rutherford,
Bossert,	Gibbons,	Kooker,	Simmons,
Bower,	Goldstein, J. H.,	Korns,	Slack,
Breth,	Goldstein, M. H.,	Lee, A. M.,	Stiteler,
Buchanan,	Goodrich,	Lippincott,	Strausser,
Bush,	Gramlich,	Magee,	Ujobal,
Capano,	Gross,	Marsh,	Varner,
Davis,	Guthrie,	May,	Wall,
Dengler,	Hamilton,	McCandless,	Walsh,
Dennison,	Haudenshield,	McInroy,	Wescott,
Donaldson,	Heavey,	Merry,	Whittaker,
Down,	Heffner,	Miller,	Willard,
Edwards,	Helm,	Morley,	Willaredt,
Elvey,	Henzel,	Murphy,	Williams, A. D.,
Eshleman,	Hooker,	O'Dell,	Williams, E. S.,
Esler,	Holl,	Odorisio,	Wilt,
Ewing,	Horst,	Ogilvie,	Wood,
Foor,	Isaacs,	Pashley,	Worley,
Fox,	Johnson, R. P.,	Polen,	Wynd,
Fry,	Keiser,	Pursley,	Zimmerman,
Fulmer,	Kernaghan,		

NOT VOTING—11

Bowman,
Curwood,
Foerster,

Holman,
Johnson, A. W.,
Maxwell,

McCormack,
Mihm,
Steckel,

Thompson,
Trusto,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1652, entitled:

An Act amending the act of April 24, 1913 (P. L. 114), entitled "An act regulating the time of payment of wages and earnings and providing a penalty for violation hereof" further regulating the time of payment of wages and earnings.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Delaware, Mr. Lippincott.

Mr. LIPPINCOTT. Mr. Speaker, I would like to interrogate one of the sponsors of this bill.

The SPEAKER pro tempore. Will the gentleman from Philadelphia, Mr. Welsh, permit himself to be interrogated?

Mr. WELSH. I shall, Mr. Speaker.

Mr. LIPPINCOTT. Mr. Speaker, is it the intention of this bill to make pay days more frequent or less frequent?

Mr. WELSH. The intention of the bill is to see that they have three pay days in a month.

Mr. LIPPINCOTT. Will the gentleman state what the words "tri-monthly" mean?

Mr. WELSH. I understand that it means three pay days; three times.

Mr. LIPPINCOTT. Would the gentleman be surprised to learn that tri-monthly means once every three months?

Mr. WELSH. I would be surprised, yes, Mr. Speaker.

Mr. LIPPINCOTT. Mr. Speaker, I have in front of me the American College dictionary and the word "tri-monthly" is defined as follows: "taking place once each three months." I wonder if the gentleman is interested in having pay days made less frequent. It seems to me this would be a little rough on the labor group to have it every three months. If that is the wish of the majority party, we should go ahead with it, but it seems to me that the word "tri-monthly" is like "bi-monthly" which means every two months, or tri-annual which means every three years. I suggest that the correct words would be "thrice monthly" or else just say "three times every month."

Mr. WELSH. Mr. Speaker, how would the gentleman from Delaware want the amendment put in to take care of what he said?

Mr. LIPPINCOTT. I really do not have any interest in the bill one way or the other, but it seems to me that if you want pay days every three months that is what this

bill will do. I think the sponsors should decide; if that is what they want we will vote for the bill.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED

Mr. WELSH. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1744, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), requiring certain vehicles and combinations of vehicles equipped with air brakes to be equipped with emergency brakes.

On the question,

Will the House agree to the bill on third reading?

MOTION TO RECOMMIT

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Motor Vehicles.

On the question,

Will the House agree to the motion?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny, Mr. Lamb.

Mr. LAMB. Mr. Speaker, would the majority leader consent to be interrogated?

The SPEAKER pro tempore. Will the gentleman from Greene, Mr. McCann, permit himself to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

Mr. LAMB. Mr. Speaker, may I take the time of the House to have a word with the majority leader.

The SPEAKER pro tempore. The Chair will patiently await the outcome of the conference.

MOTION WITHDRAWN

The SPEAKER pro tempore. Does the gentleman from Greene, Mr. McCann, desire to withdraw his motion for recommitment.

Mr. McCANN. I do, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to,

On the question,

Shall the bill pass finally?

BILL POSTPONED

Mr. LAMB. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1797, entitled:

An Act amending "The Permanent Registration Act for Cities of the Second Class Cities of the Second Class A Cities of the Third Class Boroughs Towns and Townships" approved April 29, 1937 (P. L. 487), further regulating the days hours and places of registration.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. TOMPKINS. Mr. Speaker, the week before last we voted on a similar bill for cities and counties of the first class. This bill extends that same thing to all the rest of the Commonwealth whereby registration crews can go beyond county lines and register residents of that particular county.

We think it is very bad legislation and ask the members on this side of the House to vote "no" on this bill.

Mr. PETROSKY. Rather than belabor the point, Mr. Speaker, I would refer the membership on both sides of the House to the debate we had on this matter two weeks ago in which the bill was adequately covered.

I would respectfully ask the membership on both sides of the House to vote "aye" on this measure.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—99

Anderson, S. A.,	Gallagher,	McDevitt,	Renwick,
Arlene,	Gelfand,	McDonald,	Riley,
Bachman,	Gray,	McKeever,	Rovansek,
Boles,	Greenlee,	McLaughlin,	Rubin,
Bonner,	Gremmlinger,	McNally,	Rudisill,
Branca,	Guesman,	Meholchick,	Sakulsky,
Breth,	Hamilton,	Mills,	Scarcell,
Capano,	Hankins,	Monroe,	Schaaf,
Capitolo,	Hartley,	Morley,	Schuster,
Cauley,	Heavey,	Mullen,	Shelton,
Cianfrani,	Irvis,	Munley,	Sherman,
Cioffi,	Jenkins,	Murphy,	Shupnik,
Clarke,	Jim,	Murray,	Stank,
Comer,	Jones,	Musto,	Stone,
Cooley,	Kamyk,	Needham,	Sullivan, J. A.,
Crossin,	Kelly,	O'Donnell, J. A.,	Sullivan, T. F.,
Doughten,	Klein,	O'Donnell, J. P.,	Taylor,
Farabaugh,	Kornick,	Parlante,	Tomasick,
Filo,	Kramer,	Pashley,	Trusio,
Fineman,	Lawson,	Perry,	Verona,
Flynn,	Leonard,	Polaski,	Wargo,
Foerster,	Limper,	Polen,	Welsh,
Frascella,	Long, Wm. Jas.,	Prendergast,	Yetter,
Fry,	Long, Wm. Jos.,	Reibman,	Andrews,
Galley,	Lutty,	Reidenbach,	Speaker

NAYS—100

Adams,	Fox,	Kistler,	Seltzer,
Anderson, J. H.,	Fulmer,	Kooker,	Simmons,
Ashton,	George,	Korns,	Slack,
Auker,	Gibb,	Lee, A. M.,	Snare,
Backenstoe,	Gibbons,	Lee, K. B.,	Steckel,
Blair,	Goldstein, J. H.,	Lippincott,	Stimmel,
Bossert,	Goldstein, M. H.,	Magee,	Stiteler,
Bower,	Goodrich,	Manbeck,	Strausser,
Buchanan,	Gramlich,	Markley,	Tompkins,
Bush,	Gross,	Marsh,	Ujobal,
Davis,	Guthrie,	May,	Varnier,
Dengler,	Haudenshield,	McCandless,	Wall,
Dennison,	Heffner,	McCann,	Walsh,
Donaldson,	Helm,	McInroy,	Weidner,
Dougherty,	Henzel,	Merry,	Whittaker,
Down,	Hocker,	Miller,	Willard,
Edwards,	Holl,	O'Dell,	Willard,
Ellberg,	Holliday,	Odorisio,	Williams, A. D.,
Elvey,	Horst,	Ogilvie,	Williams, E. S.,
Eshback,	Isaacs,	Petrosky,	Wilt,
Eshleman,	Johnson, R. P.,	Piper,	Wood,
Esler,	Kelser,	Price,	Worley,
Ewing,	Kernaghan,	Pursley,	Wynd,
Fetterolf,	Kessler,	Royer,	Zember,
Foor,	King,	Rutherford,	Zimmerman,

NOT VOTING—11

Bowman,	Johnson, A. W.,	Maxwell,	Thompson,
Curwood,	Knecht,	McCormack,	Wescott,
Holman,	Lamb,	Mihm,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 749, entitled:

An Act amending the "Korean Conflict Veterans' Compensation Act" approved July 8, 1957 (P. L. 569), defining "veteran" so as to include career servicemen.

An said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—198

Adams,	Fulmer,	Lee, K. B.,	Riley,
Anderson, J. H.,	Galley,	Leonard,	Rovansek,
Anderson, S. A.,	Gallagher,	Limper,	Royer,
Arlene,	Gelfand,	Lippincott,	Rubin,
Ashton,	George,	Long, Wm. Jas.,	Rudisill,
Auker,	Gibb,	Long, Wm. Jos.,	Rutherford,
Bachman,	Gibbons,	Lutty,	Sakulsky,
Backenstoe,	Goldstein, J. H.,	Magee,	Scarcell,
Blair,	Goldstein, M. H.,	Manbeck,	Schaaf,
Boles,	Goodrich,	Markley,	Schuster,
Bonner,	Gramlich,	Marsh,	Seltzer,
Bossert,	Gray,	Maxwell,	Shelton,
Bower,	Greenlee,	May,	Sherman,
Branca,	Gremmlinger,	McCandless,	Shupnik,
Breth,	Gross,	McCann,	Simmons,
Buchanan,	Guesman,	McCormack,	Slack,
Bush,	Guthrie,	McDonald,	Snare,
Capano,	Hamilton,	McInroy,	Stank,
Capitolo,	Hankins,	McKeever,	Steckel,
Cauley,	Hartley,	McLaughlin,	Stimmer,
Cianfrani,	Haudenshield,	McNally,	Stiteler,
Cioffi,	Heavey,	Meholchick,	Stone,
Clarke,	Heffner,	Merry,	Sullivan, J. A.,
Comer,	Helm,	Miller,	Sullivan, T. F.,
Cooley,	Hocker,	Mills,	Taylor,
Crossin,	Holl,	Monroe,	Tomasick,
Davis,	Holliday,	Morley,	Tompkins,
Dengler,	Horst,	Mullen,	Trusio,
Dennison,	Irvis,	Munley,	Ujobal,
Donaldson,	Isaacs,	Murphy,	Varnier,
Dougherty,	Jenkins,	Musto,	Verona,
Doughten,	Jim,	Needham,	Wall,
Down,	Johnson, R. P.,	O'Dell,	Walsh,
Edwards,	Jones,	O'Donnell, J. A.,	Wargo,
Ellberg,	Kamyk,	O'Donnell, J. P.,	Weidner,
Elvey,	Kelser,	Odorisio,	Welsh,
Eshback,	Kelly,	Ogilvie,	Whittaker,
Eshleman,	Kernaghan,	Parlante,	Willard,
Esler,	Kessler,	Pashley,	Willardt,
Ewing,	King,	Perry,	Williams, A. D.,
Farabaugh,	Kistler,	Petrosky,	Williams, E. S.,
Fetterolf,	Klein,	Piper,	Wilt,
Filo,	Knecht,	Polaski,	Wood,
Fineman,	Kooker,	Polen,	Worley,
Flynn,	Kornick,	Prendergast,	Wynd,
Foerster,	Korns,	Price,	Yetter,
Foor,	Kramer,	Pursley,	Zember,
Fox,	Lamb,	Reibman,	Zimmerman,
Frascella,	Lawson,	Reidenbach,	Andrews,
Fry,	Lee, A. M.,		Speaker

NAYS—0

NOT VOTING—12

Bowman,	Holman,	Mihm,	Strausser,
Curwood,	Johnson, A. W.,	Murray,	Thompson,
Henzel,	McDevitt,	Renwick,	Wescott,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,
The House proceeded to the third reading and consideration of House bill No. 701, entitled:

An Act amending the act of April 4, 1925 (P. L. 127), entitled "An act relating to adoption" authorizing approved agencies or institutions to charge for services rendered to persons taking children into their homes for the purpose of adoption and providing for the approval of such charges by the Department of Public Welfare.

On the question,
Will the House agree to the bill on third reading?
Mr. AUKER asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Sec. 1 (Sec.1), page 3, line 18, by striking out "legal"

The SPEAKER pro tempore. Will the House give unanime consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the bill on third reading as amended?

It was agreed to.
Ordered, that the bill as amended lie over for printing.

Agreeably to order,
The House proceeded to the third reading and consideration of House bill No. 1028, entitled:

An Act amending the act of June 1, 1956 (P. L. 1944), entitled "An act providing a permanent allocation of a part of the fuels and liquid fuels tax proceeds to cities boroughs incorporated towns and townships for their road street and bridge purposes. ****" changing the formula used to determine the amount of payments to be made to the political subdivisions.

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?
Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—111

Anderson, S. A.,	Gibb,	Lippincott,	Reidenbach,
Arlene,	Gibbons,	Long, Wm. Jos.,	Riley,
Auker,	Goldstein, M. H.,	Lutty,	Royer,
Backenstoe,	Gray,	McCann,	Rubin,
Boles,	Greenlee,	McCormack,	Rudisill,
Branca,	Gremminger,	McDevitt,	Rutherford,
Capitolo,	Guesman,	McDonald,	Sakulsky,
Cauley,	Hankins,	McKeever,	Scarcelli,
Cianfrani,	Hartley,	McLaughlin,	Schaaf,
Cioffi,	Haudenshield,	Miller,	Schuster,
Clarke,	Heavey,	Monroe,	Shelton,
Comer,	Henzel,	Morley,	Sherman,
Crossin,	Holl,	Mullen,	Shupnik,
Dengler,	Iris,	Munley,	Simmons,
Donaldson,	Isaacs,	Murray,	Stank,
Dougherty,	Jenkins,	Musto,	Stimmel,
Doughten,	Johnson, R. P.,	Needham,	Sullivan, J. A.,
Eilberg,	Jones,	O'Donnell, J. A.,	Sullivan, T. F.,
Esler,	Kamyk,	O'Donnell, J. P.,	Taylor,
Ewing,	Kelly,	Odorisio,	Tomascik,
Filo,	Kernaghan,	Ogilvie,	Verona,
Fineman,	Klein,	Parlante,	Walsh,
Foerster,	Kramer,	Pashley,	Wargo,

Frascella,	Lamb,	Perry,	Welsh,
Fry,	Lawson,	Petrosky,	Wilt,
Galley,	Lee, A. M.,	Polaski,	Zember,
Gallagher,	Leonard,	Prendergast,	Andrews,
Gelfand,	Limper,	Reibman,	Speaker

NAYS—88

Adams,	Flynn,	Korns,	Seltzer,
Anderson, J. H.,	Foor,	Long, Wm. Jas.,	Slack,
Ashton,	Fox,	Magee,	Snare,
Bachman,	Fulmer,	Manbeck,	Steckel,
Blair,	George,	Markley,	Stiteler,
Bonner,	Goldstein, J. H.,	Marsh,	Stone,
Bossert,	Goodrich,	Maxwell,	Strausser,
Bower,	Gramlich,	May,	Tompkins,
Breth,	Gross,	McCandless,	Trusio,
Buchanan,	Guthrie,	McInroy,	Ujobal,
Bush,	Hamilton,	McNally,	Varnier,
Capano,	Helm,	Meholchick,	Wall,
Cooley,	Hocker,	Merry,	Weidner,
Davis,	Holliday,	Mills,	Whittaker,
Dennison,	Horst,	Murphy,	Willard,
Down,	Jim,	O'Dell,	Willaredt,
Edwards,	Keiser,	Piper,	Williams, A. D.,
Elvey,	Kessler,	Polen,	Wood,
Eshback,	King,	Price,	Worley,
Eshleman,	Kistler,	Pursley,	Wynd,
Farabaugh,	Kooker,	Renwick,	Yetter,
Fetterolf,	Kornick,	Rovansek,	Zimmerman,

NOT VOTING—11

Bowman,	Holman,	Lee, K. B.,	Wescott,
Curwood,	Johnsou, A. W.,	Mihm,	Williams, E. S.,
Heffner,	Knecht,	Thompson,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Mr. McCANN. Mr. Speaker, at this point we will ask for reports of committees and we will be ready after caucus for bills on final passage and Senate bills, but there are reports of committee.

INTERROGATION

Mr. TOMPKINS. Mr. Speaker, before the members start leaving, I should like to interrogate the majority leader.

The SPEAKER pro tempore. Will the gentleman from Greene, Mr. McCann, permit himself to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, I wonder if the majority leader can give us any information as to the schedule for the balance of this week?

Mr. McCANN. Mr. Speaker, the House will be in session two more days, Wednesday and Thursday. The Education Committee, I believe, is giving me a report sometime later today from their meeting. I do not know when their next meeting is scheduled, but the House will be in session for two days, tomorrow at noon and Thursday.

Mr. TOMPKINS. Mr. Speaker, I wonder if the gentleman can give us any indication as to next week's schedule. Quite a few of our members have indicated that they would like to attend the Legion convention in Erie, beginning next Wednesday, and we are wondering if any schedule has been settled on or arranged for next week as yet?

Mr. McCANN. Mr. Speaker, I cannot give the gentleman information before the caucus. I do not know the schedule for next week at this point.

Mr. TOMPKINS. Mr. Speaker, we had understood be-

fore we left the week before last that we would only be in session three days this week. A great number of our members have made appointments, dental appointments, law office appointments and a number of other things for Thursday. We come back this week and find that they intend to be in for four days.

I would like to get something settled from week to week when we leave here as to how long we are going to be in the following week, because of the condition which exists not only with our members and which I know exists with a great number of members on the Democratic side.

Mr. McCANN. Mr. Speaker, I realize the situation of members who possibly may have made appointments such as the doctors, dentists and attorneys, but I am also aware that I must continue to press for the completion of work on this calendar. I apologize if I made an error or misled anyone in this House that there might be only three days of session. On the notice I mailed out to our Democratic members I clearly indicated last week that there would be four days of session. I am very sorry if there is a misunderstanding that there would only be sessions Monday, Tuesday and Wednesday instead of Monday, Tuesday, Wednesday and Thursday. To those men who have made some appointments, I ask that they bear with us in an effort to try to complete this week's work. When the Education Committee reports following tomorrow's or tonight's meeting, whichever it may be, we will have our plans for next week to disseminate to the membership of both caucuses immediately.

Mr. TOMPKINS. I thank the gentleman, Mr. Speaker.

Mr. Speaker, if this is an effort toward sine die adjournment, I do not think many of our members would have any objection, but at this point we do not know where we stand on that issue, whether we are going to adjourn sine die, whether we are going to recess, or what exactly we intend to do. Frankly, I cannot see the justification for the four-day session this week if it is not an effort toward sine die adjournment. If it is the desire, to drive toward that end, that is one thing, but if we do not know where we stand with reference to sine die, recess, or otherwise, I frankly cannot see the justification for four days this week.

DEMOCRATIC CAUCUS

Mr. McCANN. Mr. Speaker, I will make a motion that the caucus will begin promptly at 2 o'clock and proceed steadily.

We have some reconsideration motions and reports of committees. I will ask for a Democratic caucus of one hour, from 2 until 3, returning to the floor to vote bills, and we will allow a period of 30 minutes. The first roll call will be 3:30, 30 minutes for those who want to get a bite to eat.

REPUBLICAN CAUCUS

Mr. TOMPKINS. Mr. Speaker, the Republicans will have a caucus beginning at the same time to last for the same duration. I ask the members to bring their calendars with them.

REPORTS FROM COMMITTEES

Mr. RUBIN from the Committee on Banking and Build-

ing and Loan Associations, reported as amended, Senate bill No. 456, entitled:

An Act amending the act of May 15, 1933 (P. L. 624), entitled as amended "Banking Code" changing certain provisions with respect to the payment of interest on deposits.

Mr. MORLEY from the Committee on Education, reported as committed, House bill No. 1560, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), redefining to mean academic year in reference to State scholarships.

Mr. M. H. GOLDSTEIN from the Committee on Education, reported as committed, Senate bill No. 573, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" changing limitations on driver-education expenses of the Department of Public Instruction changing the basis for reimbursement by the Commonwealth on account of standardized driver-training programs and extending provisions relating to driver-education programs to joint school organizations.

Mr. SHERMAN from the Committee on Education, reported as committed, Senate bill No. 697, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" providing for reconsideration of decisions in annexation proceedings.

Mr. IRVIS from the Committee on Education, reported as committed, Senate bill No. 698, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code" making it illegal to buy sell alter or attempt to obtain by fraudulent means a diploma certificate or similar instrument and providing penalties.

Mr. YETTER from the Committee on Agriculture and Dairy Industries, reported as committed, Senate bill No. 746, entitled:

An Act to regulate the sale and distribution for agricultural purposes of ground limestone burned and hydrated lime gypsum slag and related products in the Commonwealth of Pennsylvania conferring powers and imposing duties on the Department of Agriculture establishing fees making an appropriation and prescribing penalties.

Mrs. PASHLEY from the Committee on State Government, reported as committed, Senate bill No. 760, entitled:

An Act amending the act of June 25, 1947 (P. L. 1145), entitled as amended "Local Tax Enabling Law" providing for an official register of earned income tax levies and relieving employers from reporting the earnings and withholding the taxes of their employees with respect to levies not listed in the register and relieving employers from liability when employees misinform the employers as to their place of residence.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1560, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), redefining year to mean academic year in reference to State scholarships.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 573, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" changing limitations on driver-education expenses of the Department of Public Instruction changing the basis for reimbursement by the Commonwealth on account of standardized driver-training programs and extending provisions relating to driver-education programs to joint school organizations.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 697, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" providing for reconsideration of decisions in annexation proceedings.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 698, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code" making it illegal to buy sell alter or attempt to obtain by fraudulent means a diploma certificate or similar instrument and providing penalties.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 746, entitled:

An Act to regulate the sale and distribution for agricultural purposes of ground limestone burned and hydrated lime gypsum slag and related products in the Commonwealth of Pennsylvania conferring powers and imposing duties on the Department of Agriculture establishing fees making an appropriation and prescribing penalties.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 760, entitled:

An Act amending the act of June 25, 1947 (P. L. 1145), entitled as amended "Local Tax Enabling Law" providing for an official register of earned income tax levies and relieving employers from reporting the earnings and withholding the taxes of their employes with respect to levies not listed in the register and relieving employers from liability when employes misinform the employers as to their place of residence.

And said bill having been read at length the first time,

Ordered, to be laid aside for second reading.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which read as follows:

APPROVAL OF HOUSE CONCURRENT RESOLUTION RECALLING HOUSE BILL No. 987 FROM GOVERNOR

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg

June 21, 1961,

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House bill No. 987, printer's No. 1576, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

DAVID L. LAWRENCE.

RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which House bill No. 987 passed finally be reconsidered.

Mr. MURPHY. Mr. Speaker, I second the motion.

The SPEAKER pro tempore. How did the gentleman from Greene, Mr. McCann, vote on the final passage of this bill?

Mr. McCANN. Mr. Speaker, I voted with the prevailing side.

The SPEAKER pro tempore. How did the gentleman from Washington, Mr. Murphy, vote on the final passage of this bill?

Mr. MURPHY. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. McCANN asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Title, page 1, last line of Title, by striking out "heretofore"

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

RECONSIDERATION OF VOTE ON HOUSE BILL NO. 1487

Mr. SAKULSKY. Mr. Speaker, I move that the vote by which House bill No. 1487, printer's No. 2344, entitled:

"An Act amending the 'Real Estate Brokers License Act of one thousand nine hundred and twenty-nine' approved May 1, 1929 (P. L. 1216), changing the educational and training requirements for licensure changing the place of hearing, specifying the nature and weight to be given to the report of a representative appointed by the Com-

mission to hold hearings in connection with any of its disciplinary proceedings, providing for the taking of testimony and bringing auctioneers within the provisions of the act."

was defeated on final passage Thursday, June 29, 1961, be reconsidered.

Mr. PETROSKY. Mr. Speaker, I second the motion.

The SPEAKER pro tempore. How did the gentleman from Westmoreland, Mr. Sakulsky, vote on the final passage of this bill?

Mr. SAKULSKY. Mr. Speaker, I voted with the prevailing side.

The SPEAKER pro tempore. How did the gentleman from Westmoreland, Mr. Petrosky, vote on the final passage of this bill?

Mr. PETROSKY. Mr. Speaker I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED

Mr. McCANN. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

RECONSIDERATION OF VOTE ON HOUSE BILL NO. 1555

Mr. EILBERG. Mr. Speaker, I move that the vote by which House bill No. 1555, printer's No. 2173, entitled:

"An Act amending 'The First Class City Permanent Registration Act,' approved March 30, 1937 (P. L. 115), further regulating the days, hours and places of registration."

was defeated on final passage Thursday, June 29, 1961, be reconsidered.

Mr. PETROSKY. Mr. Speaker, I second the motion.

The SPEAKER pro tempore. How did the gentleman from Philadelphia, Mr. Eilberg, vote on the final passage of this bill?

Mr. EILBERG. Mr. Speaker, I voted with the prevailing side.

The SPEAKER pro tempore. How did the gentleman from Westmoreland, Mr. Petrosky, vote on the final passage of this bill?

Mr. PETROSKY. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED

Mr. McCANN. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

RECONSIDERATION OF VOTE ON HOUSE BILL NO. 1790

Mr. McCANN. Mr. Speaker, I move that the vote by which House bill No. 1790, printer's No. 2362, entitled:

"An Act amending the 'Pennsylvania Election Code' approved June 3, 1937 (P. L. 1333), providing for the use of different colored ballots and machine labels so as to distinguish political parties in primary elections."

was defeated on final passage Monday, July 10, 1961, be reconsidered.

Mr. PETROSKY. Mr. Speaker, I second the motion.

The SPEAKER pro tempore. How did the gentleman from Greene, Mr. McCann, vote on the final passage of this bill?

Mr. McCANN. Mr. Speaker, I voted with the prevailing side.

The SPEAKER pro tempore. How did the gentleman from Westmoreland, Mr. Petrosky, vote on the final passage of this bill?

Mr. PETROSKY. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED

Mr. McCANN, Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 472, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code" requiring a copy of the application to be sent to the police or the sheriff where the seller's place of business is located and where the buyer resides.

On the question,

Will the House agree to the bill on third reading?

Mr. McCANN asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be ready by the clerk for information.

Amend Title, page 1, line 3 of Title, by inserting after "application" for purchase of firearms

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

SENATE MESSAGE

CONCURRENCE IN HOUSE RESOLUTION

The clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, July 10, 1961.

Resolved (if the Senate concur), that House bill No. 828, printer's No. 2185, entitled "An act amending the act of May 27, 1949 (P. L. 1903), entitled 'An act providing for powers responsibilities duties and limitations of the Governor Adjutant General Department of Military Affairs Pennsylvania State Armory Board Military Reservation Commission in connection with the armed Military and Naval forces and the internal security of the Commonwealth for the definition organization powers and limitations of the unorganized militia Pennsylvania National Guard Pennsylvania Guard Naval Militia Pennsylvania Naval Militia and for coordination with the government of the United States in the organization and functioning of the Pennsylvania National Guard and the National Guard of the United States apportioned the Commonwealth' changing the measure of relief for disability or death of personnel on active duty," be recalled from the Governor for the purpose of amendment.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 747.

An Act defining milk and its derivatives prohibiting its adulteration regulating its labeling sale and serving imposing powers and duties on the Department of Agriculture providing penalties and making repeals.

Referred to the Committee on Agriculture and Dairy Industries.

SENATE BILL No. 790.

An Act amending the act of May 13, 1915 (P. L. 286), entitled "Child Labor Law" further prescribing work in which minors may engage providing for the issuance of special permits for minors engaging in the entertainment and related fields changing provisions relating to working hours employment certificates regulations prescribing penalties and providing a short title.

Referred to the Committee on Labor Relations.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 155.

An Act to validate certain proceedings for municipal improvements municipal investments municipal claims and municipal liens in the several cities of the third class boroughs and townships of this Commonwealth.

HOUSE BILL No. 360.

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90), authorizing persons to bring into Pennsylvania limited amounts of untaxed liquor under limited circumstances.

HOUSE BILL No. 395.

An Act relating to the satisfaction of mortgages in counties of the second, third, fourth, fifth, sixth, seventh and eighth class by the recording of a satisfaction piece, prescribing forms therefor and fixing fees for the recording thereof.

HOUSE BILL No. 735.

An Act regulating the manufacture of stuffed toys intended for sale gift or use in Pennsylvania providing for

registration of such manufacturers the paying of a fee for such registration the issuance of a seal of approval to such manufacturers *** and providing penalties.

HOUSE BILL No. 880.

An Act amending the "Banking Code" approved May 15, 1933 (P. L. 624), changing provisions governing the change of the place of business of a branch the period of public notice for the discontinuance of a branch and the provisions relating to honorary directors directors emeritus and members of advisory boards***.

HOUSE BILL No. 948.

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872), prohibiting the purchase acceptance receipt or possession of starter pistols or similar pistols by minors and revising exemptions under this act.

HOUSE BILL No. 1186.

An Act amending the act of June 28, 1935 (P. L. 477), "providing for the payment of the salary medical and hospital expenses of members of the State Police Force and of policemen firemen and park guards by the Commonwealth of Pennsylvania***" extending the provisions thereof to members of the Delaware River Port Authority Police.

HOUSE BILL No. 1394.

An Act amending the act of May 1, 1933 (P. L. 102), entitled "A supplement to the act approved the second day of June one thousand nine hundred and fifteen (P. L. 762), entitled 'An act providing for the creation and administration of a State Fund for the insurance of compensation for injuries to employes of subscribers thereto****' clarifying the responsibilities of the Insurance Commissioner for inspection and examination of the State Workmen's Insurance Fund changing the period for such inspection and examination and changing the title.

HOUSE BILL No. 1451.

An Act amending the act of August 5, 1932 (P. L. 45), entitled "An act empowering cities of the first and second classes to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes for general revenue purposes***" requiring the State Treasurer and other State officials to deduct the tax imposed by any first class city upon salaries*** paid to officers and employes of the Commonwealth domiciled or performing services within that city***.

HOUSE BILL No. 1504.

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333), further regulating the time in which the court of quarter sessions shall appoint election officers of newly created election districts.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

INTERROGATION

Mr. TOMPKINS asked and obtained unanimous consent to interrogate Mr. McCANN.

Mr. Speaker, there was a bill on the calendar which was recommitted yesterday, the charitable solicitation bill, on which it was indicated there would be a public hearing. I think the indication was the public hearing might be tomorrow. A great number of people are headed in the direction of Harrisburg and there seems to be some confusion whether the public hearing will be tomorrow or some time next week. I am wondering if the

majority leader can get that point cleared up as soon as possible and let our respective caucuses know while we are in caucus so we may announce it to the members.

Mr. McCANN. Mr. Speaker, on House bill No. 1803 there will not be a public hearing tomorrow, Wednesday, which was tentatively scheduled for 9:30 a. m. in the new House caucus room. The new date of the hearing I do not have at this point, but the hearing has been cancelled for tomorrow on House bill No. 1803.

Mr. TOMPKINS. There will definitely be a later date fixed and there will be an announcement to that effect?

Mr. McCANN. We are going to try to get Mr. Stone, the chairman of the Committee on Public Welfare, in our caucus to determine immediately the date, time and place of the hearing so it may be announced right away.

Mr. TOMPKINS. I thank the gentleman.

SENATE MESSAGES

The clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Amended House Bill returned for concurrence No. 853.

Amended House Resolution returned for concurrence No. 62.

RESOLUTION

CONGRATULATIONS

Mr. DENGLER and Mrs. KERNAGHAN offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, July 11, 1961.

Whereas, The citizens of the borough of East Lansdowne, celebrated the fiftieth anniversary of incorporation during the last week of June, 1961; and

Whereas, The citizens of the borough of East Lansdowne have enjoyed the fruits of good government throughout this period of incorporation; and

Whereas, The officials and good citizens have taken the pains and labor to properly celebrate this outstanding event; therefore be it

Resolved, That the House of Representatives hereby congratulates and commends the citizens and officials of the borough of East Lansdowne on this the fiftieth anniversary of its incorporation; and be it further

Resolved, That a copy of this resolution be sent to the Mayor and Council of East Lansdowne.

RECESS

The SPEAKER pro tempore. Without objection, the Chair will declare a recess of one and one-half-hours.

The Chair hears none, and a recess is declared.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR.

Mr. McCANN. Mr. Speaker, page 3, bills on final passage, I call up House bill No. 471, printer's No. 2463.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 471, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), further regulating the removal of wrecked vehicles and tractors from the highway.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Adams,	Galley,	Limper,	Rovansek,
Anderson, J. H.	Gallagher,	Lippincott,	Royer,
Anderson, S. A.,	Gelfand,	Long, Wm. Jas.,	Rubin,
Arlene,	George,	Long, Wm. Jos.,	Rudisill,
Ashton,	Gibb,	Lutty,	Rutherford,
Auker,	Gibbons,	Magee,	Sakulsky,
Bachman	Goldstein, J. H.,	Manbeck,	Scarcell,
Backenstoe,	Goldstein, M. H.,	Markley,	Schaaf,
Blair,	Goodrich,	Marsh,	Schuster,
Boies,	Gramlich,	Maxwell,	Seltzer,
Bonner,	Gray,	May,	Shelton,
Bossert,	Greenlee,	McCandless,	Sherman,
Bower,	Gremminger,	McCann,	Shupnik,
Bowman,	Gross,	McCormack,	Simmons,
Branca,	Guesman,	McDevitt,	Slack,
Breth,	Guthrie,	McDonald,	Snare,
Buchanan,	Hamilton,	McInroy,	Stank,
Bush,	Hankins,	McKeever,	Steckel,
Capano,	Hartley,	McLaughlin,	Stimmel,
Capitolo,	Haudenschild,	McNally,	Stiteler,
Cauley,	Heavey,	Meholchick,	Stone,
Cianfrani,	Hefner,	Merry,	Strausser,
Cioffi,	Helm,	Miller,	Sullivan, J. A.,
Clarke,	Hocker,	Mills,	Sullivan, T. F.,
Comer,	Holl,	Monroe,	Taylor,
Cooley,	Holliday,	Morley,	Thompson,
Crossin,	Holman,	Mullen,	Tomasck,
Davis,	Horst,	Munley,	Tompkins,
Dengler,	Irvis,	Murphy,	Trusio,
Dennison,	Isaacs,	Murray,	Ujobai,
Donaldson,	Jim,	Musto,	Varner,
Dougherty,	Johnson, R. P.,	Needham,	Verona,
Doughten,	Jones,	O'Dell,	Wall,
Down,	Kamyk,	O'Donnell, J. A.,	Walsh,
Edwards,	Keiser,	O'Donnell, J. P.,	Wargo,
Ellberg,	Kelly,	Odorisio,	Weidner,
Elvey,	Kernaghan,	Ogilvie,	Welsh,
Eshback,	Kessler,	Parlante,	Wescott,
Eshleman,	King,	Pashley,	Whittaker,
Esler,	Kistler,	Perry,	Willard,
Ewing,	Klein,	Petrosky,	Willaredt,
Farabaugh,	Knecht,	Piper,	Williams, A. D.,
Fetterolf,	Kooker,	Polaski,	Williams, E. S.,
Filo,	Kornick,	Polen,	Wilt,
Fineman,	Korns,	Prendergast,	Wood,
Flynn,	Kramer,	Price,	Worley,
Foerster,	Lamb,	Pursley,	Wynd,
Foor,	Lawson,	Reibman,	Yetter,
Fox,	Lee, A. M.,	Reidenbach,	Zember,
Frascella,	Lee, K. B.,	Renwick,	Zimmerman,
Fry,	Leonard,	Riley,	Andrews,
Fulmer,			Speaker

NAYS—0

NOT VOTING—5

Curwood,	Jenkins,	Johnson, A. W.,	Mihm,
Henzel,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 670, entitled:

A Supplement to "The Pennsylvania Workmen's Compensation Act" approved June 2, 1915 (P. L. 736), providing for the payment of compensation to special school police appointed by boroughs or the dependents of such special school police.

On the question,
Shall the bill pass finally?

Mr. McCANN. This is a Workmen's Compensation bill and I am going to ask the chairman of the Committee on Workmen's Compensation to immediately tackle the problem in this bill dealing with the portal-to-portal part of coverage of these people in this Workmen's Compensation bill and amend it in such a manner that it can be agreed to be voted on.

MOTION TO RECOMMIT

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Workmen's Compensation.

On the question,
Will the House agree to the motion?

The SPEAKER. The Chair recognizes the gentleman from Franklin, Mr. Horst.

Mr. HORST. Mr. Speaker, if this bill is recommitted and the majority leader decides that no more bills will be reported out of committee, will this bill come out of committee?

Mr. McCANN. Yes, Mr. Speaker, this bill will come out of committee. It would come out on Thursday.

Mr. HORST. This session?

Mr. McCANN. I just got done making the statement that the bill—I asked the chairman to work on the amendments and report the bill. We are not talking about the next session. I may not be here.

Mr. HORST. Me, neither, but I just want to make sure it comes out of committee, as the companion bill to this bill is over in the Senate on third reading and without this bill the other bill is not any good.

Thank you, sir.

The SPEAKER. The Chair recognizes the gentleman from Cameron, Mr. Tompkins.

Mr. TOMPKINS. Mr. Speaker, we recognize the need for amendments to this bill but we have had so many other bills that have been carried on the calendar day after day after day, I was wondering if we could not work something out and amend it from the floor without sending it back to committee.

Mr. McCANN. Mr. Speaker, I have no objections to the bill lying on the calendar if the sponsors will go to work on the bill and work out the problems, and I mean work them out so they can be accomplished to a vote here in the House. They know what the objections are.

Mr. TOMPKINS. I agree the sponsors should get to work and get amendments worked out. If not, send it back to committee, but let us give them a day or two now and tell them they must get these amendments worked out.

BILL PASSED OVER

Mr. McCANN. Mr. Speaker, I will withdraw that House bill 670 has been called up and ask that it be marked over and that the sponsors of the bill prepare the necessary amendments to correct the bill immediately.

The SPEAKER. The bill is passed over and lies on the calendar awaiting amendments furnished by the sponsors at an early date.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 4697, entitled:

An Act amending "The County Code" approved August 9, 1955 (P. L. 323), authorizing the creation of county historical commissions to promote places of historical interest within the county.

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—76

Anderson, S. A.,	Gremminger,	Maxwell,	Rovansek,
Arlene,	Guesman,	McCann,	Rubin,
Bachman,	Hamilton,	McCormack,	Rudisill,
Bonner,	Hankins,	McDevitt,	Sakulsky,
Branca,	Hartley,	McLaughlin,	Scarcell,
Capano,	Heavey,	McNally,	Schaaf,
Capitolo,	Irviss,	Meholchick,	Schuster,
Cauley,	Jim,	Mills,	Shelton,
Cioffi,	Jones,	Monroe,	Sherman,
Clarke,	Kamyk,	Morley,	Stank,
Comer,	Kessler,	Murphy,	Stone,
Dougherty,	Klein,	O'Donnell, J. A.,	Sullivan, J. A.,
Ellberg,	Kramer,	Parlante,	Taylor,
Flynn,	Lamb,	Pashley,	Tomasck,
Frascella,	Lawson,	Perry,	Walsh,
Galley,	Lee, K. B.,	Petrosky,	Welsh,
Gallagher,	Leonard,	Polaski,	Williams, E. S.,
Gelfand,	Lutty,	Polen,	Yetter,
Gray,	Marsh,	Reibman,	Andrews,

Speaker

NAYS—124

Adams,	Fox,	Korns,	Royer,
Anderson, J. H.,	Fry,	Lee, A. M.,	Rutherford,
Ashton,	Fulmer,	Limper,	Seltzer,
Auker,	George,	Lippincott,	Shupnik,
Backenstoe,	Gibb,	Long, Wm. Jas.,	Simmons,
Blair,	Gibbons,	Long, Wm. Jos.,	Slack,
Bossert,	Goldstein, J. H.,	Magee,	Snare,
Bower,	Goldstein, M. H.,	Manbeck,	Steckel,
Bowman,	Goodrich,	Markley,	Stimmel,
Buchanan,	Gramlich,	May,	Stiteler,
Bush,	Greenlee,	McCandless,	Strausser,
Cianfrani,	Gross,	McDonald,	Sullivan, T. F.,
Cooley,	Guthrie,	McInroy,	Thompson,
Crossin,	Haudenschild,	McKeever,	Tompkins,
Davis,	Heffner,	Merry,	Trusio,
Dengler,	Helm,	Miller,	Ujobal,
Dennison,	Hocker,	Mullen,	Varnar,
Donaldson,	Holl,	Munley,	Verona,
Doughten,	Holliday,	Murray,	Wall,
Down,	Holman,	Needham,	Wargo,
Edwards,	Horst,	O'Dell,	Weidner,
Elvey,	Isaacs,	O'Donnell, J. P.,	Wescott,
Eshback,	Johnson, R. P.,	Odorisio,	Whittaker,
Eshleman,	Kelser,	Ogilvie,	Willaredt,
Esler,	Kelly,	Piper,	Williams, A. D.,
Ewing,	Kernaghan,	Prendergast,	Wilt,
Farabaugh,	King,	Price,	Wood,
Fetterolf,	Kistler,	Pursley,	Worley,
Filo,	Knecht,	Reidenbach,	Wynd,
Foerster,	Kooker,	Renwick,	Zember,
For,	Kornick,	Riley,	Zimmerman,

NOT VOTING—10

Boles,	Fineman,	Johnson, A. W.,	Musto,
Breth,	Henzel,	Mihm,	Willard,
Curwood,	Jenkins,		

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Tompkins for Mrs. HENZEL for the remainder of today's session.

Mr. McCANN. Mr. Speaker, before we run another bill I would like to ask the chairman of the Committee on

Public Welfare, Mr. Stone, if he would make the announcement to the House as to the date and time of the public hearing so that the members may know.

PUBLIC HEARING

Mr. STONE. Mr. Speaker, the public hearing originally scheduled on House bill 1803 to be held Wednesday, July 12, at 9:30 a. m., in the majority caucus room has been continued until Tuesday, July 18, 9:30 a. m., daylight saving time, in the majority caucus room. This has been done for the reason that there has been insufficient public notice to the parties of interest. The delay will give them an opportunity to be present.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of Senate bill No. 100, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" by making persons over sixteen years of age subject to certain penal provisions of the act.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—185

Adams,	Fry,	Lawson,	Pursley,
Anderson, J. H.,	Fulmer,	Lee, A. M.,	Reidenbach,
Anderson, S. A.,	Gailey,	Lee, K. B.,	Renwick,
Arlene,	Gallagher,	Limper,	Riley,
Ashton,	Gibb,	Lippincott,	Rovansek,
Auker,	Gibbons,	Long, Wm. Jas.,	Royer,
Bachman,	Goldstein, J. H.,	Long, Wm. Jos.,	Rubin,
Backenstoe,	Goldstein, M. H.,	Lutty,	Rudisill,
Blair,	Goodrich,	Manbeck,	Rutherford,
Boies,	Gramlich,	Marsh,	Sakulsky,
Bonner,	Gray,	Maxwell,	Schuster,
Bossert,	Greenlee,	May,	Seltzer,
Bower,	Gremminger,	McCandless,	Shelton,
Branca,	Gross,	McCann,	Sherman,
Breth,	Guesman,	McCormack,	Shupnik,
Buchanan,	Guthrie,	McDevitt,	Simmons,
Bush,	Hamilton,	McDonald,	Slack,
Capano,	Hankins,	McInroy,	Steckel,
Capitolo,	Hartley,	McKeever,	Stimmel,
Cauley,	Haudenshield,	McLaughlin,	Stiteler,
Cianfrani,	Heavey,	McNally,	Stone,
Cioffi,	Hefner,	Meholchick,	Strausser,
Clarke,	Helm,	Merry,	Sullivan, J. A.,
Comer,	Hocker,	Miller,	Taylor,
Cooley,	Holl,	Mills,	Thompson,
Crossin,	Holliday,	Monroe,	Tomasick,
Davis,	Holman,	Morley,	Tompkins,
Dengler,	Horst,	Mullen,	Trusio,
Dennison,	Irvins,	Munley,	Ujobai,
Donaldson,	Isaacs,	Murphy,	Varner,
Dougherty,	Jim,	Murray,	Verona,
Down,	Johnson, R. P.,	Musto,	Wall,
Edwards,	Jones,	Needham,	Walsh,
Ellberg,	Kamvyk,	O'Dell,	Wargo,
Elvey,	Kelser,	O'Donnell, J. P.,	Weidner,
Eshback,	Kelly,	Odorisio,	Welsh,
Eshleman,	Kernaghan,	Ogilvie,	Wescott,
Esler,	Kessler,	Parlante,	Whittaker,
Ewing,	King,	Pashley,	Willaredt,
Farabaugh,	Klein,	Perry,	Williams, A. D.,
Fetterolf,	Knecht,	Petrosky,	Williams, E. S.,
Filo,	Kooker,	Piper,	Wilt,
Fineman,	Kornick,	Polaski,	Wood,
Flynn,	Korns,	Polen,	Yetter,
Foerster,	Kramer,	Prendergast,	Zember,
Foor,	Lamb,	Price,	Andrews,
Frascella,			

Speaker

NAYS—14

Bowman,
Doughten,
Gelfand,
George,

Kistler,
Magee,
O'Donnell, J. A.,
Reibman,

Schaaf,
Snare,
Stank,

Sullivan, T. F.,
Worley,
Zimmerman,

NOT VOTING—11

Curwood,
Fox,
Henzel,

Jenkins,
Johnson, A. W.,
Leonard,

Markley,
Mihm,
Scarcelli,

Willard,
Wynd,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate bill No. 101, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" requiring brake linings to be approved prohibiting the sale of unapproved linings providing for the issuing and revocation of certificates of approval establishing fees and providing penalties.

On the question,

Shall the bill pass finally?

The SPEAKER. The Chair recognizes the gentleman from Crawford, Mr. Merry.

Mr. MERRY. Mr. Speaker, I would like to debate this bill and give my reasons why I think it should be recommended or defeated.

It seems that this bill is several years late getting down to a vote in a place where it might be bad. I think last session it came up here, passed in the House and went over to the Senate and died.

Years ago it would have done some good. At that time somebody said they sold lamp wick for brake lining, so we wanted to protect the people from losing their money buying this cheap brake lining. In the last few years it seems inspection stations—put it this way—made it mandatory that they physically check each automobile to see if it stops under the present law in the right distance. If they do physically check this car and it does not stop in the right distance, they take it back to the garage and make some repairs on it or they lose their inspection station license.

It is possible that any kind of lining could go bad when this inspection station takes it down the road and tries it out, it does not stop, he goes back and he finds it is good lining, but the dust seal has broken down or the grease seal has broken down. Therefore, he has to take the lining off and install new lining.

This bill could be just as much against safety as some people claim that it is a safety bill. What I have just said should prove that it is unnecessary with the present laws on inspection stations checking the linings.

To go further, I think it would be favoritism as far as to who got the first \$10 who got an approval for lining. The thing that bothers me even more than that is that it would restrict the manufacturer of trucks or automobiles from making any improvements in the braking system until they ask our secretary what kind of lining they could use

with this new brake system. I think that definitely is against safety. Some people say, well, here, this brake lining does not stop. So it does not stop. Do you know or do the people in this House know that all brake lining cannot be alike. Each make of car, each weight of car, each weight of truck, could use a different brake lining. Also, you have more than one system of brakes. You have a steel drum, a cast-iron drum, a cast-iron enclosed steel drum, an aluminum drum and different types of linings match these drums. This is an engineering problem and not something we can decide by just somebody giving the secretary \$10 to have this particular brake lining approved.

Together with these different kinds of drums that the manufacturers make they use different systems of application. You have hydraulic brakes, mechanical brakes and air-actuated brakes. One lining will not work on all different types of brakes. So we match engineering brake lining to the type of brake, to the weight of the car and in that way I do not see how we should put the responsibility up to the Department of Revenue or the secretary to say what kind of lining should be in it.

To wind this up, I do not like to take the time of the House any further, although this is as bad a bill as we have had on the calendar, I would say it is very obvious from the amendments put in yesterday that it is not enforceable. Any mechanic who takes a wheel off a car can inspect the lining and would find it very difficult to know whether it was so-called legal lining approved by our man over here or what it was until he took the rivets out, removed the lining and looked at the back-side of it, because after it gets dirty you cannot tell who made it. In that way I would say the bill is silly.

Just please vote this bill down. You will be doing more for safety than you will any other way.

I thank you for your courtesy in listening to me.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—95

Anderson, S. A.,	Gallagher,	McCormack,	Reidenbach,
Arlene,	Gelfand,	McDevitt,	Renwick,
Bachman,	Goldstein, M. H.,	McDonald,	Riley,
Boles,	Gray,	McKeever,	Rubin,
Bonner,	Greenlee,	McLaughlin,	Rudisill,
Branca,	Gremminger,	Meholchick,	Sakulsky,
Breth,	Guesman,	Mills,	Scarcelli,
Capano,	Hankins,	Monroe,	Schaaf,
Capitolo,	Hartley,	Morley,	Schuster,
Cauley,	Heavey,	Mullen,	Shelton,
Cioffi,	Irvls,	Munley,	Sherman,
Clarke,	Jones,	Murphy,	Shupnik,
Comer,	Kamyk,	Murray,	Stank,
Cooley,	Kelly,	Musto,	Sullivan, J. A.,
Crossin,	Kornick,	Needham,	Sullivan, T. F.,
Doughten,	Kramer,	O'Donnell, J. A.,	Taylor,
Eilberg,	Lamb,	O'Donnell, J. P.,	Tomascik,
Filo,	Lawson,	Parlante,	Verona,
Fineman,	Leonard,	Pashley,	Walsh,
Flynn,	Limper,	Perry,	Wargo,
Foerster,	Long, Wm. Jas.,	Polaski,	Welsh,
Frascella,	Long, Wm. Jos.,	Polen,	Wilt,
Fry,	Lutty,	Prendergast,	Yetter,
Gayley,	Maxwell,	Reibman,	

NAYS—109

Adams,	Fulmer,	Knecht,	Seltzer,
Anderson, J. H.,	George,	Kooper,	Simmons,
Ashton,	Gibb,	Korns,	Slack,

Auker,	Gibbons,	Lee, A. M.,	Snare,
Backenstoe,	Goldstein, J. H.,	Lee, K. B.,	Steckel,
Blair,	Goodrich,	Lippincott,	Stimmel,
Bossert,	Gramlich,	Magee,	Stiteler,
Bower,	Gross,	Manbeck,	Stone,
Bowman,	Guthrie,	Markley,	Strausser,
Buchanan,	Hamilton,	Marsh,	Thompson,
Bush,	Haudenschild,	May,	Tompkins,
Cianfrani,	Heffner,	McCandless,	Trusio,
Davis,	Helm,	McCann,	Ujobal,
Dengler,	Hocker,	McInroy,	Varner,
Dennison,	Holl,	McNally,	Wall,
Donaldson,	Holliday,	Merry,	Weidner,
Dougherty,	Holman,	Miller,	Wescott,
Down,	Horst,	O'Dell,	Whittaker,
Edwards,	Isaacs,	Odorisio,	Willaredt,
Elvey,	Jim,	Ogilvie,	Williams, A. D.,
Eshback,	Johnson, R. P.,	Petrosky,	Williams, E. S.,
Eshleman,	Kelser,	Piper,	Wood,
Esler,	Kernaghan,	Price,	Worley,
Ewing,	Kessler,	Pursley,	Wynd,
Farabaugh,	King,	Rovansek,	Zember,
Fetterolf,	Kistler,	Royer,	Zimmerman,
Foor,	Klein,	Rutherford,	Andrews,
Fox,			Speaker

NOT VOTING—6

Curwood,	Jenkins,	Mihm,	Willard,
Henzel,	Johnson, A. W.,		

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

BILLS ON FINAL PASSAGE POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on final passage of House bill No. 156, entitled:

An Act amending the "Municipal Employees' Retirement Law," approved June 4, 1943 (P. L. 886), including officers and employees of certain associations within the act.

On the question recurring,

Shall the bill pass finally?

The SPEAKER. The Chair recognizes the gentleman from York, Mr. Gailey.

Mr. GAILEY. All I can say, Mr. Speaker, is that I think the members will recall that this bill was voted upon by this House once before and failed in passage.

The impact of this act is to bring within the municipal employees' retirement system certain employees of State associations which, to my way of thinking, and I believe the House at that time agreed with it, were not proper people to be brought within a system which is set up strictly for municipal employees.

I still think it is bad legislation and I hope members on both sides of the House vote against it.

The SPEAKER. The Chair recognizes the gentleman from Fayette, Mr. Kornick.

Mr. KORNICK. Mr. Speaker, this is the bill we brought up for reconsideration yesterday. I want to explain to the House that this legislation does not cost any money. It is the employees of the municipal government who are contributing to this fund. Therefore, I do not want the members to be confused. So I ask members on both sides of the House to vote for the bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—139

Adams,	Foor,	Leonard,	Riley,
Anderson, J. H.,	Frascella,	Limper,	Rovansek,
Anderson, S. A.,	Fry,	Long, Wm. Jas.,	Rubin,
Arlene,	Gallagher,	Long, Wm. Jos.,	Rutherford,
Bachman,	George,	Lutty,	Sakulsky,
Bales,	Gibb,	Magee,	Scarcelli,
Bonner,	Goodrich,	Markley,	Schaaf,
Bossert,	Gramlich,	Maxwell,	Schuster,
Bower,	Gray,	McCandless,	Shelton,
Bowman,	Greenlee,	McCann,	Sherman,
Branca,	Gremminger,	McDevitt,	Stank,
Breth,	Guesman,	McDonald,	Steckel,
Buchanan,	Hamilton,	McInroy,	Stiteler,
Bush,	Hankins,	McLaughlin,	Stone,
Capano,	Hartley,	McNally,	Sullivan, J. A.,
Capitolo,	Haudenshield,	Meholchick,	Sullivan, T. F.,
Cauley,	Heavey,	Mills,	Taylor,
Cianfrani,	Holl,	Monroe,	Tompson,
Cioffi,	Horst,	Mullen,	Tomascik,
Clarke,	Irviss,	Murphy,	Trusio,
Comer,	Jenkins,	Murray,	Ujobai,
Cooley,	Jim,	Musto,	Verona,
Crossin,	Jones,	Needham,	Wall,
Davis,	Kamyk,	O'Donnell, J. P.,	Walsh,
Dennison,	Kelly,	Parlante,	Welsh,
Dougherty,	Kessler,	Perry,	Wescott,
Edwards,	King,	Petrosky,	Whittaker,
Ellberg,	Kistler,	Polaski,	Willaredt,
Elvey,	Klein,	Polen,	Williams, A. D.,
Eshback,	Kooker,	Prendergast,	Williams, E. S.,
Ewing,	Kornick,	Price,	Wilt,
Fetterolf,	Kramer,	Pursley,	Worley,
Filo,	Lamb,	Reibman,	Wynd,
Flynn,	Lawson,	Reidenbach,	Yetter,
Foerster,	Lee, K. B.,	Renwick,	

NAYS—64

Ashton,	Goldstein, J. H.,	Lippincott,	Royer,
Auker,	Goldstein, M. H.,	Manbeck,	Rudisill,
Backenstoe,	Gross,	Marsh,	Shupnik,
Blair,	Guthrie,	May,	Simmons,
Dengler,	Heffner,	McCormack,	Slack,
Donaldson,	Helm,	McKeever,	Snare,
Doughten,	Hocker,	Merry,	Stimmel,
Down,	Holliday,	Miller,	Strausser,
Eshleman,	Holman,	Morley,	Tompkins,
Esler,	Isaacs,	Munley,	Varner,
Farabaugh,	Johnson, R. P.,	O'Dell,	Wargo,
Fox,	Keiser,	O'Donnell, J. A.,	Weidner,
Fulmer,	Kernaghan,	Odorisio,	Wood,
Gailey,	Knecht,	Ogilvie,	Zemher,
Gelfand,	Korns,	Pashley,	Zimmerman,
Gibbons,	Lee, A. M.,	Piper,	Andrews,

Speaker

NOT VOTING—7

Curwood,	Henzel,	Mihm,	Willard,
Fineman,	Johnson, A. W.,	Seltzer,	

The majority required by the Constitution having voted in the affirmative the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on final passage of House bill No. 1665, entitled:

An Act amending the "Local Tax Enabling Act," approved June 25, 1947 (P. L. 1145), requiring taxes collected upon the transfer of real property or of any interest in real property to be collected at the county seat.

On the question recurring,

Shall the bill pass finally?

The SPEAKER. The Chair recognizes the gentleman from Cameron, Mr. Tompkins.

Mr. TOMPKINS. I would like to interrogate the majority leader on this bill, Mr. Speaker.

The SPEAKER. Will the majority leader permit himself to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, do I understand that this bill in its present form applies only to counties of second class?

Mr. McCANN. Mr. Speaker, I will yield to the gentleman from Allegheny, Mr. Lamb, so he may answer emphatically that printer's No. 2099 pertains to second class counties.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Lamb.

Before the gentleman speaks I would like to read Rule 60:

While the Speaker is putting a question or addressing the House and during the debate or voting, no member shall disturb another by talking or walking up and down or crossing the floor of the House.

The gentleman will proceed.

Mr. LAMB. I understand, Mr. Speaker, the gentleman from Cameron wishes to interrogate me.

Mr. TOMPKINS. Mr. Speaker, it was my understanding that this bill had been amended to apply only to counties of the second class. Is that right?

Mr. LAMB. Yes, sir, that is right.

Mr. TOMPKINS. Where in the bill, under the printer's number that is on the calendar, has this been done?

Mr. LAMB. Mr. Speaker, the amendments were offered by me and I am sorry to say that this is the first time I looked at the new printer's number, and I assume it is the new printer's number, but the amendments went in to limit the bill to counties of the second class. I had the amendments prepared myself.

Mr. TOMPKINS. The printer's number I have before me contains no amendments whatsoever.

Mr. LAMB. The printer's number I have before me, the second printer's number, is 2099 and it does not contain the amendments that I offered.

The SPEAKER. When were the amendments offered?

Mr. LAMB. The amendments were offered last week, Mr. Speaker, by myself and Mr. Donaldson.

Mr. TOMPKINS. The History does not indicate an amendment, Mr. Speaker.

The SPEAKER. The record does not so show.

Mr. TOMPKINS. The gentleman is not confusing this with House bill 1604 which was amended?

Mr. LAMB. Mr. Speaker, could I move that the bill be passed over temporarily?

The SPEAKER. The Chair would suggest that the bill be passed over temporarily, and, if there are any corrections to be made in the record, they can be made. The bill was reconsidered, placed on the postponed calendar, but there is no record of amendments.

BILL POSTPONED

Mr. LAMB. Mr. Speaker, I move that this bill be returned to the final passage postponed calendar.

The motion was agreed to.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on final passage of Senate bill No. 239, entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code," authorizing the closing of court houses and other county offices on Saturdays in counties of the third class.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—140

Adams,	Fry,	Markley,	Rutherford,
Anderson, S. A.,	Gibbons,	Marsh,	Sakulsky,
Arlene,	Goodrich,	Maxwell,	Scarcell,
Bachman,	Gray,	May,	Schuster,
Backenstoe,	Greenlee,	McCann,	Seltzer,
Boles,	Guesman,	McCormack,	Shelton,
Bonner,	Hamilton,	McDevitt,	Sherman,
Bossert,	Hankins,	McDonald,	Shupnik,
Bower,	Hartley,	McKeever,	Simmons,
Branca,	Haudenshield,	McLaughlin,	Slack,
Breth,	Heavey,	McNally,	Stank,
Capano,	Hocker,	Meholchick,	Steckel,
Capitolo,	Holl,	Mills,	Stimmel,
Cauley,	Holman,	Mullen,	Stiteler,
Cianfrani,	Iris,	Munley,	Strausser,
Cioffi,	Isaacs,	Murphy,	Sullivan, J. A.,
Clarke,	Jim,	Murray,	Sullivan, T. F.,
Comer,	Johnson, R. P.,	Musto,	Taylor,
Cooley,	Jones,	Needham,	Thompson,
Crossin,	Kamyk,	O'Donnell, J. P.,	Tomasick,
Dengler,	Kelly,	Odoriso,	Ujobai,
Dennison,	Kernaghan,	Parlante,	Varner,
Donaldson,	Kistler,	Pashley,	Wall,
Dougherty,	Klein,	Perry,	Walsh,
Doughten,	Knecht,	Petrosky,	Wargo,
Edwards,	Kornick,	Piper,	Weidner,
Ellberg,	Lamb,	Polaski,	Welsh,
Eshleman,	Lawson,	Polen,	Wescott,
Esler,	Lee, A. M.,	Price,	Whittaker,
Ewing,	Limper,	Pursley,	Willard,
Fetterolf,	Lippincott,	Reidenbach,	Willaredt,
Filo,	Long, Wm. Jas.,	Renwick,	Wilt,
Flynn,	Long, Wm. Jos.,	Riley,	Wood,
Foerster,	Lutty,	Royer,	Zember,
Frascella,	Manbeck,	Rubin,	Zimmerman,

NAYS—61

Anderson, J. H.,	Gallagher,	Kessler,	O'Donnell, J. A.,
Ashton,	Gelfand,	King,	Ogilvie,
Auker,	George,	Kooker,	Prendergast,
Blair,	Gibb,	Korns,	Reibman,
Bowman,	Goldstein, J. H.,	Kramer,	Schaaf,
Buchanan,	Goldstein, M. H.,	Lee, K. B.,	Snare,
Bush,	Gramlich,	Leonard,	Tompkins,
Davis,	Gremminger,	Magee,	Trusio,
Elvey,	Gross,	McCandless,	Verona,
Eshback,	Guthrie,	McInroy,	Williams, A. D.,
Farabaugh,	Heffner,	Merry,	Williams, E. S.,
Fineman,	Helm,	Miller,	Worley,
Foor,	Holliday,	Monroe,	Wynd,
Fox,	Horst,	Morley,	Yetter,
Fulmer,	Keiser,	O'Dell,	Andrews,
Gailey,			Speaker

NOT VOTING—9

Curwood,	Jenkins,	Mihm,	Rudisill,
Down,	Johnson, A. W.,	Rovansek,	Stone,
Henzel,			

The majority required by the Constitution having voted in the affirmative the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on final passage of House bill No. 1708, entitled:

An Act making an appropriation to the Department of Public Welfare for the maintenance of certain homes.

On the question recurring,

Shall the bill pass finally?

RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. POLEN asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the clerk for information.

Amend Sec. 1, page 1, lines 1 and 2, by striking out "four hundred fifty-five thousand sixty-nine dollars (\$455,069)" and inserting four hundred fifty-six thousand sixty-nine dollars (\$456,069)

Amend Sec. 1, page 3, by inserting between lines 10 and 11

Mary Slaughter Home for the Aged, Williamsport 1,000
Amend Sec. 1, page 4, line 18, by striking out "\$455,069" and inserting \$456,069

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

APPROPRIATION BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 799, entitled:

An Act making an appropriation to the Department of Public Welfare for payment of grants to political subdivisions for services for the aging.

On the question,

Will the House agree to the bill on third reading?

Mr. POLEN asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the clerk for information.

Amend Title, page 1, last line of Title by inserting after "aging" and making an additional appropriation of moneys received for such purposes

Amend Sec. 1, page 2, line 2, by striking out "in" and inserting: for the aging, including but not limited to

Amend Sec. 1, page 2, line 3, by striking out "for the aging."

Amend Bill, page 2, by inserting after line 3

Section 2. All moneys received from the Federal gov-

ernment or from any other source as contributions for the program provided for in section 1 hereof shall be paid into the General Fund and are hereby specifically appropriated for such purposes.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill 626, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), authorizing the transfer of club licenses from one municipality to another under certain conditions.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER. The Chair recognizes the gentleman from Westmoreland, Mr. Petrosky.

Mr. PETROSKY. Mr. Speaker, on the bill, very briefly: the bill provides for a transfer of a club license from one municipality to another within the same county. There has been a great deal of misconception about this measure, and I would submit to the membership of the House that by no stretch of the imagination can nor will the quota law be affected in any manner by this piece of legislation.

I would further point out to the membership of the House that we have in many areas a substantial increase in population wherein the quota is closed and in neighboring communities we possibly have a multiple number of club licenses. The bill would merely provide, especially where veterans' organizations are concerned—and I will submit to the House an example that exists in one of the townships in my legislative district. The quota is closed in Franklin Township and there is only one existing club in that township. The retail dispenser licensees are of such a number that there is no opening in the quota. In the neighboring community of Export Borough we have a multiple number of licenses. In Franklin Township we have an Amvets unit of over 1,000 in membership, and they cannot under present statutes procure a license for operating their so-called second home, which would be the social part of the veterans' organization establishment.

This bill would provide that they could buy a club license from a group in Export Borough and move it across the line into Franklin Township.

I do not know how the opponents of this measure can take the position and indicate that this would open up the quota, for this particular reason: It is a known fact

that the Liquor Control Board regulations, just so long as there is an opening, as the ratio of retail dispensers' licenses affect the quota in a given municipality, just so long as there is an opening, then the Liquor Control Board would issue as many as five, six, seven or eight, whatever number of applications they have for club licenses. They do not take the club licenses into consideration for the quota. They would issue any number just so long as the retail dispensers' licenses did not have that quota shut off.

I think the bill is a very meritorious bill. I think, too, that it enables the removal of a club in an area where there is too great a number of clubs, and it does render a very good service to those areas where a club establishment is necessary for the social life of a group of people who have associated themselves.

I respectfully submit to this House that if there is any member who can show me how this would open up the quota or disturb in any way these acts—I cannot see it. For instance, in Philadelphia it is possible to transfer clubs from one area to another because it is one municipality, but in other counties we have a multiple number of municipalities and, because of today's requirements for the associated memberships of legitimate club organizations, we can render a service by passing this bill.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Goldstein.

Mr. M. H. GOLDSTEIN. Mr. Speaker, will the gentleman from Westmoreland, Mr. Petrosky, consent to be interrogated?

The SPEAKER. Will the gentleman from Westmoreland, Mr. Petrosky, permit himself to be interrogated?

Mr. PETROSKY. I shall, Mr. Speaker.

Mr. M. H. GOLDSTEIN. Mr. Speaker, with the leave of the House, I would like to interrogate the gentleman concerning the ensuing bill, House bill 627. Are not 626 and 627 companion bills?

Mr. PETROSKY. They are not.

The SPEAKER. The gentleman is well acquainted with the procedure. He cannot couple this bill with another bill.

Mr. M. H. GOLDSTEIN. Thank you, Mr. Speaker.

I believe we have relaxed the liquor laws sufficiently in the State of Pennsylvania and there is no demand nor need to transfer liquor licenses from one area of a county to another. I predict, if we relax it in this feature, there will be a subsequent relaxation in an ensuing bill. I think the Liquor Control Board has sufficient problems without having the laws modified in that respect.

The SPEAKER. The Chair recognizes the gentleman from Delaware, Mr. Lippincott.

Mr. LIPPINCOTT. Mr. Speaker, may I interrogate the gentleman from Westmoreland, Mr. Petrosky?

The SPEAKER. Will the gentleman from Westmoreland, Mr. Petrosky, permit himself to be interrogated?

Mr. PETROSKY. I shall, Mr. Speaker.

Mr. LIPPINCOTT. Mr. Speaker, there is one question that is not clear to me and that is, does this permit the transfer to a municipality that may be dry by reason of local option?

Mr. PETROSKY. It does not.

Mr. LIPPINCOTT. Where is the limitation to that effect in the bill?

Mr. PETROSKY. The limitation on that is contained in the Liquor Code, in another section of the Liquor Code. There is no question in my mind of this and, I believe, the gentleman must recognize that in any municipality which legally has outlawed the sale of liquor, certainly, the discretion of the board would be used in this area to deny the transfer of a license there, and they would, within the statute that so prohibits.

Mr. LIPPINCOTT. I thank the gentleman.

The SPEAKER. The Chair recognizes the gentleman from Berks, Mr. Adams.

Mr. ADAMS. Mr. Speaker, I believe that this is a fair bill and I do not think it was pointed out that there are cases where clubs have been forced to move their quarters due to highways being constructed, due to redevelopment of areas that are being torn down and rebuilt into apartments, parking lots and things like that. This would permit the club to move from one area to another.

Also, I notice that it would seem that all of the promotion of this bill has come from the other side of the aisle and it would appear that all the opposition has come from this side of the aisle. It is not a partisan affair. I am for the bill and respectfully suggest to the members on both sides of the aisle that they vote for it.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—111

Adams,	Greenlee,	Manbeck,	Renwick,
Anderson, S. A.,	Gremminger,	Markley,	Riley,
Arlene,	Guesman,	Maxwell,	Rovanssek,
Ashton,	Hamilton,	McCann,	Rubin,
Backenstoe,	Hankins,	McCormack,	Sakulsky,
Blair,	Hartley,	McDevitt,	Scarcell,
Boles,	Heavey,	McDonald,	Schaaf,
Bonner,	Horst,	McKeever,	Schuster,
Branca,	Irvis,	McLaughlin,	Seltzer,
Capitolo,	Isaacs,	Meholchick,	Shelton,
Cauley,	Jenkins,	Mills,	Sherman,
Cianfrani,	Jim,	Monroe,	Slack,
Cioffi,	Jones,	Morley,	Stank,
Clarke,	Kamyk,	Mullen,	Steckel,
Comer,	Kelly,	Murray,	Stimmel,
Cooley,	Kernaghan,	Musto,	Stone,
Dengler,	Klein,	O'Dell,	Sullivan, J. A.,
Dougherty,	Kornick,	O'Donnell, J. A.,	Sullivan, T. F.,
Doughten,	Kramer,	O'Donnell, J. P.,	Taylor,
Ellberg,	Lamb,	Odoriso,	Trusio,
Farabaugh,	Lawson,	Parlante,	Ujobai,
Filo,	Leonard,	Perry,	Verona,
Fineman,	Limper,	Petrosky,	Weldner,
Flynn,	Lippincott,	Piper,	Welsh,
Frascella,	Long, Wm. Jas.,	Polaski,	Yetter,
Gallagher,	Long, Wm. Jos.,	Prendergast,	Zember,
Gelfand,	Lutty,	Reibman,	Andrews,
Gray,	Magee,	Reidenbach,	Speaker

NAYS—93

Anderson, J. H.,	Fox,	King,	Rutherford,
Auker,	Fry,	Kistler,	Shupnik,
Bachman,	Fulmer,	Knecht,	Simmons,
Bossert,	Galley,	Kooker,	Snare,
Bower,	George,	Korns,	Stiteler,
Bowman,	Gibb,	Lee, A. M.,	Strausser,
Breth,	Gibbons,	Lee, K. B.,	Thompson,
Buchanan,	Goldstein, J. H.,	Marsh,	Tomasick,
Bush,	Goldstein, M. H.,	May,	Tompkins,
Capano,	Goodrich,	McCandless,	Varner,
Crossin,	Gramlich,	McInroy,	Wall,
Davis,	Gross,	Merry,	Walsh,
Dennison,	Guthrie,	Miller,	Wargo,
Donaldson,	Haudenshield,	Munley,	Wescott,
Down,	Heffner,	Murphy,	Whittaker,
Edwards,	Helm,	Needham,	Willaredt,

Elvey,	Hocker,	Ogilvie,	Williams, A. D.,
Eshback,	Holl,	Pashley,	Williams, E. S.,
Eshleman,	Holliday,	Polen,	Wilt,
Esler,	Holman,	Price,	Wood,
Ewing,	Johnson, R. P.,	Pursley,	Worley,
Fetterolf,	Kesler,	Royer,	Wynd,
Foerster,	Kessler,	Rudisill,	Zimmerman,
Foor,			

NOT VOTING—6

Curwood,	Johnson, A. W.,	Mihm,	Willard,
Henzel,	McNally,		

The majority required by the Constitution having voted in the affirmative the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill 628, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), changing the time within which notice of a hearing is issued and requiring notice of violations as prerequisite to imposition of a penalty suspension or revocation.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—126

Adams,	Fry,	Manbeck,	Rubin,
Anderson, S. A.,	Fulmer,	Markley,	Rutherford,
Arlene,	Gallagher,	McCann,	Scarcell,
Auker,	George,	McCormack,	Schaaf,
Backenstoe,	Gibbons,	McDevitt,	Schuster,
Blair,	Goldstein, J. H.,	McDonald,	Seltzer,
Boles,	Gray,	McLaughlin,	Shelton,
Bonner,	Gremminger,	Merry,	Shupnik,
Branca,	Guesman,	Monroe,	Slack,
Breth,	Guthrie,	Morley,	Snare,
Capano,	Hankins,	Mullen,	Stank,
Capitolo,	Hartley,	Munley,	Steckel,
Cauley,	Helm,	Murphy,	Stimmel,
Cianfrani,	Hocker,	Murray,	Sullivan, T. F.,
Cioffi,	Holliday,	O'Dell,	Taylor,
Clarke,	Horst,	O'Donnell, J. A.,	Thompson,
Comer,	Irvis,	O'Donnell, J. P.,	Tompkins,
Cooley,	Isaacs,	Odoriso,	Trusio,
Crossin,	Jones,	Ogilvie,	Ujobai,
Dengler,	Kesler,	Parlante,	Verona,
Dennison,	Kelly,	Pashley,	Walsh,
Dougherty,	Kernaghan,	Perry,	Wargo,
Doughten,	Knecht,	Petrosky,	Weidner,
Ellberg,	Kooker,	Piper,	Williams, A. D.,
Elvey,	Kornick,	Polaski,	Williams, E. S.,
Eshback,	Kramer,	Prendergast,	Wood,
Eshleman,	Lamb,	Price,	Wynd,
Filo,	Lee, K. B.,	Reibman,	Yetter,
Fineman,	Lee, A. M.,	Reidenbach,	Zember,
Foerster,	Lippincott,	Riley,	Zimmerman,
Foor,	Long, Wm. Jas.,	Royer,	Andrews,
Fox,	Lutty,		Speaker

NAYS—75

Anderson, J. H.,	Gelfand,	Klein,	Renwick,
Ashton,	Gibb,	Korns,	Rovanssek,
Bachman,	Goldstein, M. H.,	Lawson,	Rudisill,
Bossert,	Goodrich,	Leonard,	Sakulsky,
Bower,	Gramlich,	Limper,	Sherman,
Bowman,	Greenlee,	Magee,	Simmons,
Buchanan,	Gross,	Marsh,	Stiteler,
Bush,	Hamilton,	Maxwell,	Stone,
Davis,	Haudenshield,	May,	Strausser,
Donaldson,	Heffner,	McCandless,	Tomasick,

Down, Edwards, Esler, Ewing, Farabaugh, Fetterolf, Flynn, Frascella, Galley,	Holl, Holman, Jenkins, Jim, Johnson, R. P., Kamyk, Kessler, King, Kistler,	McInroy, McKeever, McNally, Meholchick, Miller, Mills, Needham, Polen, Pursley,	Varner, Wall, Welsh, Wescott, Whittaker, Willaredt, Wilt, Worley,
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NOT VOTING—3

Curwood, Heavey, Henzel,	Johnson, A. W., Long, Wm. Jos.,	Mihm, Musto,	Sullivan, J. A., Willard,
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The majority required by the Constitution having voted in the affirmative the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 729, entitled:

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), providing that no annexation of a portion of a township shall be final or complete until payment has been made or agreement entered into for payment of certain costs by a city or borough.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—168

Adams, Anderson, J. H., Anderson, S. A., Arlene, Ashton, Bachman, Backenstoe, Blair, Bonner, Bossert, Bower, Bowman, Branca, Breth, Buchanan, Bush, Capano, Capitolo, Cianfrani, Cioffi, Comer, Cooley, Davis, Dengler, Dennison, Donaldson, Dougherty, Down, Edwards, Elberg, Elvey, Eshback, Eshleman, Esler, Ewing, Farabaugh, Fetterolf, Fineman, Flynn, Foor, Fox, Frascella,	Fry, Fulmer, Gallagher, George, Gibb, Gibbons, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Gray, Gross, Guthrie, Hamilton, Hankins, Hartley, Haudenshield, Heavey, Heffner, Helm, Hocker, Holl, Holliday, Holman, Horst, Irvis, Isaacs, Jim, Johnson, R. P., Jones, Keiser, Kelly, Kernaghan, Kessler, King, Kistler, Klein, Knecht, Kooker, Kornick, Korns, Lawson,	Lee, K. B., Limper, Lippincott, Long, Wm. Jas., Long, Wm. Jos., Lutty, Magee, Manbeck, Markley, Marsh, Maxwell, May, McCann, McCormack, McDonald, McInroy, McKeever, McNally, Meholchick, Merry, Miller, Mills, Monroe, Morley, Mullen, Murray, Musto, Needham, O'Dell, O'Donnell, J. P., Odorisio, Ogilvie, Parlante, Piper, Perry, Petrosky, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach,	Renwick, Riley, Rovanseck, Royer, Rubin, Rudisill, Rutherford, Sakulsky, Scarcelli, Seltzer, Sherman, Simmons, Slack, Snare, Stank, Steckel, Stimmel, Stiteler, Stone, Strausser, Taylor, Thompson, Tomascik, Tompkins, Trusilo, Ujobai, Verona, Wall, Walsh, Weidner, Welsh, Wescott, Whittaker, Willaredt, Williams, A. D., Williams, E. S., Wood, Worley, Wynd, Yetter, Zember, Zimmerman,
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NAYS—31

Auker, Boles, Cauley, Clarke, Crossin, Doughten, Filo, Foerster,	Galley, Gelfand, Greenlee, Gremminger, Guesman, Jenkins, Kamyk, Kramer,	Lee, A. M., Leonard, McDevitt, McLaughlin, Munley, Murphy, O'Donnell, J. A., Pashley,	Polaski, Schaaf, Shelton, Shupnik, Sullivan, T. F., Varner, Wargo,
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NOT VOTING—11

Curwood, Henzel, Johnson, A. W.,	Lamb, McCandless, Mihm,	Schuster, Sullivan, J. A., Willard,	Wilt, Andrews, Speaker
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The majority required by the Constitution having voted in the affirmative the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 738, entitled:

An Act providing that no township of the second class or any part thereof shall be annexed by any city borough or township without the consent of the electors of the entire township and prescribing the manner of commencing annexation proceedings.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER. The Chair recognizes the gentleman from York, Mr. Gailey.

Mr. GAILEY. Mr. Speaker, just so the membership of the House is fully conversant with the impact of this particular bill, I would suggest that if this bill becomes law it will have the effect of stopping all annexation. Now, there may be members who are in favor of this.

It seems to me that, with the growth of our communities, annexation by and large is a desirable thing. I think, however, the membership, if they read the bill closely, will see that if the question of annexation may be submitted to the electorate of the entire township from which the portion is to be annexed, that this will in fact have the effect of stopping annexation to boroughs and to cities. I think this is a bad law for our Commonwealth. I think that these areas, and most of them are built-up suburbs, should have the free right of determination as to whether they want to become part of the adjacent boroughs or cities. I think, therefore, that the membership on both sides of the House should vote against this legislation.

The SPEAKER. The Chair recognizes the gentleman from Washington, Mr. Flynn.

Mr. FLYNN. Mr. Speaker, contrary to the remarks made by the gentleman from York County, this bill would not stop all further or future annexation. All it does in fact would be to give townships affected by it the same right already given to townships of the first class. Therefore, before any portion of a township can be annexed, a vote must be taken by the entire population of the township. It is the same position that prevails in first class townships right now and what we are after is to have the same situation apply to second class townships.

The SPEAKER. The Chair recognizes the gentleman from York, Mr. Gross.

Mr. GROSS. Mr. Speaker, in my district there are 13 second class townships and there are 12 boroughs. I live in a second class township right outside a borough. We are being considered to be annexed to a borough. I ask every member of this House to vote for this bill, because I can never figure why the cream of a second class township should be taken out without the consent of the entire township. We who adjoin these boroughs are the ones who pay the taxes. We are the ones where the development has recently taken place. We are the ones who are paying the taxes in the second class townships, and I cannot see why the cream should be taken out of a second class township without the consent of the entire township. The boroughs and the third class cities have the same right. Why should not a second class township? The first class townships have the same right.

I ask every member of this House to vote for this bill. Thank you.

On the question, recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—119

Adams,	Fox,	Magee,	Rudisill,
Anderson, J. H.,	Frascella,	Manbeck,	Scarcelli,
Ashton,	Gallagher,	Markley,	Schuster,
Bachman,	Gibb,	Marsh,	Simmons,
Blair,	Goldstein, J. H.,	Maxwell,	Slack,
Bonner,	Goodrich,	May,	Snare,
Bossert,	Gross,	McCandless,	Stank,
Bower,	Hamilton,	McCann,	Steckel,
Breth,	Haudenshield,	McCormack,	Stiteler,
Buchanan,	Heavey,	McInroy,	Stone,
Bush,	Helm,	McKeever,	Strausser,
Capano,	Hocker,	McNally,	Taylor,
Cianfrani,	Holl,	Merry,	Tompson,
Comer,	Holliday,	Miller,	Tompkins,
Cooley,	Isaacs,	Mills,	Trusio,
Davis,	Jim,	Mullen,	Ujobai,
Dengler,	Johnson, R. P.,	Murray,	Varnar,
Dennison,	Jones,	Musto,	Wall,
Donaldson,	Kelser,	O'Dell,	Weidner,
Dougherty,	Kernaghan,	Odorisio,	Welsh,
Down,	Kessler,	Parlante,	Wescott,
Edwards,	Kooker,	Perry,	Whittaker,
Eshback,	Kornick,	Piper,	Willaredt,
Eshleman,	Korns,	Polen,	Wilt,
Esler,	Lawson,	Price,	Wood,
Ewing,	Lee, K. B.,	Pursley,	Worley,
Farabaugh,	Limper,	Reidenbach,	Wynd,
Fetterolf,	Lippincott,	Renwick,	Yetter,
Flynn,	Long, Wm. Jas.,	Riley,	Zimmerman,
Foor,	Long, Wm. Jos.,	Rovansek,	

NAYS—83

Anderson, S. A.,	George,	Kramer,	Reibman,
Auker,	Gibbons,	Lamb,	Royer,
Backenstoe,	Goldstein, M. H.,	Lee, A. M.,	Rubin,
Boles,	Gramlich,	Leonard,	Rutherford,
Bowman,	Gray,	Lutty,	Sakulsky,
Branca,	Greenlee,	McDevitt,	Schaaf,
Capitolo,	Gremminger,	McDonald,	Shelton,
Cauley,	Guesman,	McLaughlin,	Sherman,
Cioffi,	Guthrie,	Meholchick,	Shupnik,
Clarke,	Hankins,	Monroe,	Stimmel,
Crossin,	Hartley,	Morley,	Sullivan, J. A.,
Doughten,	Heffner,	Munley,	Sullivan, T. F.,
Eilberg,	Holman,	Murphy,	Tomascik,
Elvey,	Irvis,	Needham,	Verona,
Filo,	Jenkins,	O'Donnell, J. A.,	Walsh,
Fineman,	Kamyk,	O'Donnell, J. P.,	Wargo,
Foerster,	Kelly,	Ogilvie,	Williams, A. D.,
Fry,	King,	Pashley,	Williams, E. S.,
Fulmer,	Kistler,	Petrosky,	Zember,
Galley,	Klein,	Polaski,	Andrews,
Gelfand,	Knecht,	Prendergast,	

Speaker

NOT VOTING—8

Arlene,	Henzel,	Johnson, A. W.,	Seltzer,
Curwood,	Horst,	Mihm,	Willard,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House preceded to the third reading and consideration of House bill No. 1008, entitled:

An Act amending the "State Employees Retirement Code of 1959," approved June 1, 1959 (P. L. 392), authorizing annuitants to work sixty days per year without loss of benefits under certain circumstances.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—198

Adams,	Galley,	Lippincott,	Rovansek,
Anderson, J. H.,	Gallagher,	Long, Wm. Jas.,	Royer,
Anderson, S. A.,	Gelfand,	Long, Wm. Jos.,	Rubin,
Arlene,	George,	Lutty,	Rudisill,
Ashton,	Gibb,	Magee,	Rutherford,
Auker,	Gibbons,	Manbeck,	Sakulsky,
Bachman,	Goldstein, J. H.,	Markley,	Scarcelli,
Backenstoe,	Goldstein, M. H.,	Marsh,	Schaaf,
Blair,	Goodrich,	Maxwell,	Schuster,
Bonner,	Gramlich,	May,	Shelton,
Bossert,	Gray,	McCandless,	Sherman,
Bower,	Greenlee,	McCann,	Shupnik,
Bowman,	Gremminger,	McCormack,	Simmons,
Branca,	Gross,	McDevitt,	Slack,
Breth,	Guesman,	McDonald,	Snare,
Buchanan,	Guthrie,	McInroy,	Stank,
Bush,	Hamilton,	McKeever,	Steckel,
Capano,	Hankins,	McLaughlin,	Stimmel,
Capitolo,	Hartley,	McNally,	Stiteler,
Cauley,	Haudenshield,	Meholchick,	Stone,
Cianfrani,	Heavey,	Merry,	Strausser,
Cioffi,	Heffner,	Miller,	Sullivan, J. A.,
Clarke,	Helm,	Mills,	Sullivan, T. F.,
Comer,	Hocker,	Monroe,	Taylor,
Cooley,	Holl,	Morley,	Thompson,
Crossin,	Holliday,	Mullen,	Tomascik,
Davis,	Holman,	Munley,	Tompkins,
Dengler,	Irvis,	Murphy,	Trusio,
Dennison,	Isaacs,	Musto,	Ujobai,
Donaldson,	Jim,	Needham,	Varnar,
Dougherty,	Johnson, R. P.,	O'Dell,	Verona,
Doughten,	Jones,	O'Donnell, J. A.,	Wall,
Down,	Kamyk,	O'Donnell, J. P.,	Walsh,
Edwards,	Kelser,	Odorisio,	Wargo,
Eilberg,	Kelly,	Ogilvie,	Weldner,
Elvey,	Kernaghan,	Parlante,	Welsh,
Eshback,	Kessler,	Pashley,	Wescott,
Eshleman,	King,	Perry,	Whittaker,
Esler,	Kistler,	Petrosky,	Willaredt,
Ewing,	Klein,	Piper,	Williams, A. D.,
Farabaugh,	Knecht,	Polaski,	Williams, E. S.,
Fetterolf,	Kooker,	Polen,	Wilt,
Filo,	Kornick,	Prendergast,	Wood,
Fineman,	Korns,	Price,	Worley,
Flynn,	Kramer,	Pursley,	Wynd,
Foerster,	Lawson,	Reibman,	Yetter,
Foor,	Lee, A. M.,	Reidenbach,	Zember,
Fox,	Lee, K. B.,	Renwick,	Zimmerman,
Frascella,	Leonard,	Riley,	Andrews,
Fulmer,	Limper,		

Speaker

NAYS—1

Boles,

NOT VOTING—11

Curwood, Horst, Lamb, Seltzer,
Fry, Jenkins, Mihm, Willard,
Henzel, Johnson, A. W., Murray,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House preceeded to the third reading and consideration of House bill No. 1114, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), removing the authority of the secretary to suspend the operator's license or learner's permit of a person for conviction in another state if such conviction was obtained by use of radiomicrowave equipment prior to the authorization by law for the use of such equipment for timing speed in this Commonwealth.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—198

Adams,	Gallagher,	Leonard,	Riley,
Anderson, J. H.,	Gelfand,	Limper,	Rovanssek,
Anderson, S. A.,	George,	Lippincott,	Royer,
Ashton,	Gibb,	Long, Wm. Jos.,	Rubin,
Bachman,	Gibbons,	Lutty,	Rudisill,
Backenstoe,	Goldstein, J. H.,	Magee,	Rutherford,
Blair,	Goldstein, M. H.,	Manbeck,	Sakulsky,
Boles,	Goodrich,	Markley,	Scarcelli,
Bonner,	Gramlich,	Marsh,	Schuster,
Bossert,	Gray,	Maxwell,	Seltzer,
Bower,	Greenlee,	May,	Shelton,
Bowman,	Gremminger,	McCandless,	Sherman,
Branca,	Gross,	McCann,	Shupnik,
Breth,	Guesman,	McDevitt,	Simmons,
Buchanan,	Guthrie,	McDonald,	Slack,
Bush,	Hamilton,	McInroy,	Snare,
Capano,	Hankins,	McKeever,	Stank,
Capitolo,	Hartley,	McLaughlin,	Steckel,
Cauley,	Haudenschild,	McNally,	Stimmel,
Cianfrani,	Heavey,	Meholchick,	Stiteler,
Cioffi,	Heffner,	Merry,	Stone,
Clarke,	Helm,	Miller,	Strausser,
Comer,	Hocker,	Mills,	Sullivan, J. A.,
Cooley,	Holl,	Monroe,	Sullivan, T. F.,
Crossin,	Holliday,	Morley,	Taylor,
Davis,	Holman,	Mullen,	Thompson,
Dengler,	Horst,	Munley,	Tomascik,
Donaldson,	Irvis,	Murphy,	Tompkins,
Dougherty,	Isaacs,	Murray,	Trusio,
Doughten,	Jenkins,	Musto,	Ujobai,
Down,	Jim,	Needham,	Varner,
Edwards,	Johnson, R. P.,	O'Dell,	Verona,
Elberg,	Jones,	O'Donnell, J. A.,	Wall,
Elvey,	Kamyk,	O'Donnell, J. P.,	Walsh,
Eshback,	Keiser,	Odoriso,	Wargo,
Eshleman,	Kelly,	Ogilvie,	Weidner,
Esler,	Kernaghan,	Parlante,	Welsh,
Ewing,	Kessler,	Pashley,	Wescott,
Farabaugh,	King,	Perry,	Whittaker,
Fetterolf,	Kistler,	Petrosky,	Willaredt,
Filo,	Klein,	Piper,	Williams, A. D.,
Fineman,	Knecht,	Polaski,	Williams, E. S.,
Flynn,	Kooker,	Polen,	Wood,
Foerster,	Kornick,	Prendergast,	Worley,
Foor,	Korns,	Price,	Wynd,
Fox,	Kramer,	Pursley,	Yetter,
Frascella,	Lamb,	Reibman,	Zember,
Fry,	Lawson,	Reidenbach,	Zimmerman,
Fulmer,	Lee, A. M.,	Renwick,	Andrews,
Galley,	Lee, K. B.,		Speaker

NAYS—3

Dennison, McCormack, SchAAF,

NOT VOTING—9

Arlene, Henzel, Long, Wm. Jas., Willard,
Auker, Johnson, A. W., Mihm, Wilt,
Curwood,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House preceeded to the third reading and consideration of House bill No. 1421, entitled:

An Act amending "The Permanent Registration Act for Cities of the Second Class, Cities of the Second Class A, Cities of the Third Class, Boroughs, Towns and Townships," approved April 29, 1937 (P. L. 487), further regulating printed or written statements of registration imposing duties on common pleas courts with regard to registration, providing for suspension of registration in counties maintaining a reinstatement system.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Adams,	Fulmer,	Leonard,	Riley,
Anderson, J. H.,	Gailey,	Limper,	Rovanssek,
Anderson, S. A.,	Gallagher,	Lippincott,	Royer,
Arlene,	Gelfand,	Long, Wm. Jas.,	Rubin,
Ashton,	George,	Long, Wm. Jos.,	Rudisill,
Auker,	Gibb,	Lutty,	Rutherford,
Bachman,	Gibbons,	Magee,	Sakulsky,
Backenstoe,	Goldstein, J. H.,	Manbeck,	Scarcelli,
Blair,	Goldstein, M. H.,	Markley,	SchAAF,
Boles,	Goodrich,	Marsh,	Schuster,
Bonner,	Gramlich,	Maxwell,	Seltzer,
Bossert,	Gray,	May,	Shelton,
Bower,	Greenlee,	McCandless,	Sherman,
Bowman,	Gremminger,	McCann,	Shupnik,
Branca,	Gross,	McCormack,	Simmons,
Breth,	Guesman,	McDevitt,	Slack,
Buchanan,	Guthrie,	McDonald,	Snare,
Bush,	Hamilton,	McInroy,	Stank,
Capano,	Hartley,	McKeever,	Steckel,
Capitolo,	Haudenschild,	McLaughlin,	Stimmel,
Cauley,	Heavey,	McNally,	Stiteler,
Cianfrani,	Heffner,	Meholchick,	Stone,
Cioffi,	Helm,	Merry,	Strausser,
Clarke,	Hocker,	Miller,	Sullivan, J. A.,
Comer,	Holl,	Mills,	Sullivan, T. F.,
Cooley,	Holliday,	Monroe,	Taylor,
Crossin,	Holman,	Morley,	Thompson,
Davis,	Horst,	Mullen,	Tomascik,
Dengler,	Irvis,	Munley,	Tompkins,
Dennison,	Isaacs,	Murphy,	Trusio,
Donaldson,	Jenkins,	Murray,	Ujobai,
Dougherty,	Jim,	Musto,	Varner,
Doughten,	Johnson, R. P.,	Needham,	Verona,
Down,	Jones,	O'Dell,	Wall,
Edwards,	Kamyk,	O'Donnell, J. A.,	Walsh,
Elberg,	Keiser,	O'Donnell, J. P.,	Wargo,
Elvey,	Kelly,	Odoriso,	Weidner,
Eshback,	Kernaghan,	Ogilvie,	Welsh,
Eshleman,	Kessler,	Parlante,	Wescott,
Esler,	King,	Pashley,	Whittaker,
Ewing,	Kistler,	Perry,	Willaredt,
Farabaugh,	Klein,	Petrosky,	Williams, A. D.,
Fetterolf,	Knecht,	Piper,	Williams, E. S.,
Filo,	Kooker,	Polaski,	Wilt,
Fineman,	Kornick,	Polen,	Wood,
Flynn,	Korns,	Prendergast,	Worley,

Foerster, Foor, Fox, Frascella, Fry,	Kramer, Lamb, Lawson, Lee, A. M., Lee, K. B.,	Price, Pursley, Reibman, Reidenbach, Renwick,	Wynd, Yetter, Zember, Zimmerman, Andrews, Speaker
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NAYS—0

NOT VOTING—6

Curwood, Hankins,	Henzel, Johnson, A. W.,	Mihm,	Willard,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House preceeded to the third reading and consideration of House bill No. 1422, entitled:

An Act providing for the establishment of pension funds or pension annuities for firemen in certain boroughs, towns and townships and the regulation and maintenance thereof * * *.

On the question,

Will the House agree to the bill on third reading?

Messrs. STONE and KLEIN asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the clerk for information.

Amend Title, page 1, second line of Title, by inserting after "for" paid

Amend Sec. 1, page 2, line 2, by inserting after "a" paid

Amend Sec. 1, page 2, line 4, by inserting after "each" paid

Amend Sec. 2, page 2, line 13, by inserting after "such" paid

Amend Sec. 5, page 3, line 17, by inserting after "Any" paid

Amend Sec 8, page 7, line 11, by inserting after "the" where it appears the first time: paid

Amend Sec. 8, page 7, line 17, by inserting after "to" where it appears the first time: paid

Amend Sec. 10, page 8, line 18, by striking out "reason" and inserting: reason

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1448, entitled:

An Act amending the "Milk Control Law," approved April 28, 1937 (P. L. 417), further regulating the sale of milk on farms directly to consumers.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,
Shall the bill pass finally?

The SPEAKER. The Chair recognizes the gentleman from Lawrence, Mr. Fox.

Mr. FOX. Mr. Speaker, I would like to speak on behalf of House bill 1448.

This bill amends the Milk Control Law by adding five words to section 402, whereby farmers selling milk from their own farms directly to consumers would be required to be licensed and abide by the law when they pasteurize the milk. This action is deemed necessary because of the large number of sizeable farm operations that have sprung up across the State wherein the milk is pasteurized, bottled and sold to consumers without any licensing and regulation.

The action called for in this bill was deemed necessary because a large number of sizeable farm operations have sprung up across the State wherein milk is pasteurized, bottled and sold to consumers without licensing or regulation that are placed upon the legitimate milk dealers.

This came about due to an unintentional loophole put in the law in 1941. When the law was first written everyone selling milk had to be licensed. This created an unnecessary hardship on farmers who wanted to make casual sales to their neighbors. Consequently, in 1941 an amendment was added where they could make such casual sales of milk by selling only their own product in the consumer's own container. However, a few years ago a few farmers took advantage of this loophole to set up regular pasteurizing dairy privileges.

Since it has been traditional to permit farmers to sell their own products to the public without regulation and controls, no attempt is being made by this bill to stop such sales. However, we feel that when the farmer goes into pasteurizing the milk, he is actually going into the milk business and for this reason he should be brought under the same regulations as any other milk dealer.

While these farm operations may not be numerous enough to have a sizable effect on the total sales of milk in the Commonwealth, farmers and dealers in certain areas where these operations are prominent are being drastically affected.

The majority of the licensed milk dealers in Pennsylvania are smaller than many of the unregulated farm operations. There are more than 300 licensees, small farmers who peddle their own milk, selling less than 500 quarts a day, who are controlled and do pay license fees. One of the unregulated operators recently announced he is selling 300 gallons or 1,200 quarts a day. Others are also sizable.

This bill will not put these people out of business. If this bill is passed, it will then become the duty of the Milk Control Commission to hold public hearings and to determine what the proper price for milk sold in this type of operation should be. It might possibly be the same price they are now charging, it might be somewhat different, but in any case they would be licensed and they would be required to charge what the Commission deemed a fair price for such operation. They could not indiscriminately cut prices against licensed milk dealers, thus hurting the milk dealers and the farmers who produce for them.

I have a clipping here from the "Pennsylvania Farmer" that gives a picture of what one of these farm operations is like. I am going to read two or three sentences from it:

He has expanded his jug milk operation to some 300 gallons daily. A new addition to his existing building also made room for a display case full of home-grown or locally-grown chicken, beef and pork. In addition, he retails butter, eggs and cheese. It was interesting to note that a sideline of pastry goods, bread, ice cream and cakes more than covers the salary of the salesroom help. Thus the sideline helps to carry the overhead in the dairy sales.

In this type of operation, Mr. Speaker, the milk is being used as a leader to sell the other products. And how does this affect small, light milk dealers and the farmers who produce for them?

We do not need to worry about the large milk dealers. They can absorb these losses without much damage, but it is the small dealers and the producers producing for them who are drastically affected.

I would like to read a letter here from the Cherry Lane Dairy in Chambersburg, Pennsylvania. It reads as follows:

I am one of 500 licensed milk dealers in Pennsylvania who sells less than 1,000 quarts of retail milk a day. There is a farm jug place 1½ miles from our plant, and another 5 miles from our dairy. In the past 4 years we have lost 33 per cent of our business to these cut-price jug operations.

We have six farmers supplying all of our milk. The amount of business that we have lost to the cut-price farm jug operators is costing each one of our farmers \$7 a day, or based on a 30-day month, \$210 per month. Our producers are not in a convenient location where they can sell milk directly from the farm in gallon jugs.

It is certainly not fair to the majority of the farmers, or a dealer who must buy a license and comply with price regulations, to have this unfair competition from the farm jug operator who is selling processed milk, manufacturing ice cream, selling cottage cheese, butter, chocolate milk and orange.

Very truly yours,
/s/ Charles L. Cudlipp.

Now, Mr. Speaker, I believe that it is entirely unfair for us to require parts of an industry to be licensed and then to permit other parts to compete freely with them, completely unlicensed and completely unregulated in such a way that they are bringing damage, irreparable damage, to the business of those who are licensed.

If we are going to license the people in the milk business, we should license all of the people in the milk business.

The SPEAKER. The Chair recognizes the gentleman from Mercer, Mr. Downs.

Mr. DOWN. Mr. Speaker, I rise in opposition to this bill because I believe that farmers have the inherent right to sell their own farm products, such as, milk, eggs, meat, vegetables, and fruit without any limitations other than health regulations to protect the general public.

The present law is adequate; a farmer selling his own produced milk that is processed on his farm and sold in consumer-owned containers is exempt from the Milk Control Act. This bill, in my estimation, only strengthens the Milk Control Commission and takes away the competition for the milk dealers.

The milk dealers are evidently afraid of competition. They will use the dairy farmer to obtain their objectives. The main objective of a milk dealer is to have all milk

sold in Pennsylvania priced by the Pennsylvania Milk Control Commission. To bring farmers selling milk at their farm under the commission eliminates the only competition existing in the milk business in Pennsylvania.

The dealers are also saying that if a farmer sells milk on his farm that this lowers the class 1 utilization of other farmers. This is like saying that there is one grocery store in my town and because a second one is being built some sales will be lost in the first store, therefore, the second store should not be built.

The milk dealers are also saying that because a farmer lives in a favorable location to sell milk directly to the consumer that he should not be permitted to do so because the farmer living on a back road does not have the same opportunity. Such reasoning is a little socialistic in my estimation.

A farmer who lives in a position to market milk directly is generally on a paved road or a main highway, and his taxes are higher, his land is more expensive and his operating costs are greater.

If any of you have ever been to where this milk is being sold on these farms, to the actual farm, you will see that the party who comes out there is usually a lady with a car full of kids. This is the only opportunity that the poor consumer has for buying milk at a cheaper price.

I would respectfully ask all members of this General Assembly to vote against this bill. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Bucks, Mr. Williams.

Mr. A. D. WILLIAMS, Jr. Mr. Speaker, the gentleman from Lawrence, Mr. Fox, who said that this bill only adds five words to the act is correct. However, those five words are the following: "has not been pasteurized and". What this means is that these retail farm outlets for milk which have been processing and pasteurizing their own milk for retail sales will henceforth, No. 1, have to be licensed, and No. 2, their price will be regulated.

In Bucks County I know of at least two operations where the consumer, the housewife, if she so desires, can go to the farm and purchase a gallon, which is four quarts of milk, for seventy-five cents. I think the retail delivered price is twenty-six cents a quart. This is a savings which makes sense to me because the retail farm outlet does not have the delivery expense, the truck, the labor involved. I would hate to see the housewives of Pennsylvania deprived of this, and from what I understand this is not a matter which the dairy farmers themselves support, but it is merely legislation aimed at benefiting the middleman, the processor of milk. I think that this is a bad step, a step backward, and I hope that we can defeat this bill.

The SPEAKER. The Chair again recognizes the gentleman from Lawrence, Mr. Fox.

Mr. FOX. Mr. Speaker, I feel that I must answer two things that the gentleman from Bucks has said. First, it is true that these farm operators would have to come under the price regulations of the Milk Control Commission. I believe that I pointed that out in my previous remarks, but perhaps the gentleman did not hear me. The fact is that they would not have to charge the same price that milk is being sold at the doorstep for. Each type of operation is given a price by the Milk Control Commission after public hearings. Since there is no price for this type of operation now, if this bill is passed it will be

necessary for the commission to hold hearings and decide what price should be charged. If the price in Bucks County now is 75 cents, it might well be 75 cents after those hearings. However, they would have to charge that price, they could not indiscriminately cut the price to the detriment of the licensed milk dealers.

The other thing that I feel I must answer is the allegation that the dairy farmers are not being adversely affected, that it is only a matter of adverse effect to the milk dealers. Naturally, if a milk dealer loses his sales he is being adversely affected. But any farmer who produces milk for a milk dealer is being adversely affected every time that milk dealer loses part of his business. If a milk dealer loses 50 percent of his sales, every producer sending milk to him will lose 50 percent of his class 1 sales. Class 1 is the type of milk that goes into the bottle and on which he makes a profit. Therefore, every producer producing for a dealer is hurt in direct proportion to the extent that the dealer is hurt.

I would like to repeat my former beliefs that if we are going to regulate part of the industry, if we are going to demand that certain parts of it be licensed, we should not then permit a certain other segment of the industry to go completely uncontrolled and unlicensed to the detriment of those that we license. I know of no other field of licensing, professional or any other kind, where we permit unlicensed competition to gradually throw out those whom we are licensing. I thank you, Mr. Speaker, and I urge everyone to vote for this bill.

The SPEAKER. The Chair recognizes the gentleman from Erie, Mr. Schaaf.

Mr. SCHAAF. Mr. Speaker, I would like to briefly interrogate the gentleman from Lawrence, Mr. Fox.

The SPEAKER. Will the gentleman from Lawrence, Mr. Fox, permit himself to be interrogated?

Mr. FOX. I shall, Mr. Speaker.

Mr. SCHAAF. Mr. Speaker, do I understand the gentleman to say that the Milk Control Commission will determine the price which these farmer producers will charge on their premises for the sale of this milk? Is that correct?

Mr. FOX. That is true if this bill is passed.

Mr. SCHAAF. Mr. Speaker, is the gentleman informed and can he tell us whether or not the commission will take into consideration, at such time as it holds the public hearings which the gentleman mentioned, will he tell us whether the commission will take into consideration the economic effect of such competition on current processes?

Mr. FOX. I do not believe, Mr. Speaker, if I understand the question correctly, that the commission would take into consideration what effect this would have on the other milk dealers. As far as I know, the only information that they would take into consideration would be the factors relating to the cost of production and processing. I do not believe the question of how it relates to someone else would be considered in that hearing.

Mr. SCHAAF. Mr. Speaker, I was going to ask the gentleman whether or not the present distribution on the premises does not constitute free and open competition in setting the prices in that area.

Mr. FOX. Will the gentleman please repeat that? I could not hear him.

Mr. SCHAAF. I asked the gentleman whether or not the present system of selling milk on the premises of the

producer does not constitute free and open competition in the sale of milk in that area?

Mr. FOX. I would hardly consider it free and open competition when those consumers competing are restricted by law from offering their product at a competitive price. There is no competition, for example, if the licensed dealer is required by law to sell his product for 26 cents, and someone is underselling him. It is not real competition; it is just a matter of two different prices.

Mr. SCHAAF. I thank the gentleman, Mr. Speaker, and I would like to make a very short statement on this bill.

Mr. Speaker, I suggest that this bill and this debate here this afternoon points up one additional reason why we as a General Assembly should take a comprehensive look at the Milk Control Law of 1937. I thank you.

The SPEAKER. The Chair recognizes the gentleman from Mercer, Mr. Down.

Mr. DOWN. Mr. Speaker, they are talking about the Milk Control Commission controlling the price and Mr. Fox made the statement that it might be 75 cents. In my opinion what they are trying to do in this case is to regulate the price to where it is not advantageous for the person to go to the farms to pick it up. Actually, the milk dealers are just trying to eliminate the competition. I would like to interrogate Mr. Fox.

The SPEAKER. Will the gentleman from Lawrence, Mr. Fox, permit himself to be interrogated?

Mr. FOX. I shall, Mr. Speaker.

Mr. DOWN. Mr. Speaker, is the gentleman a milk dealer?

Mr. FOX. Yes, I am.

Mr. DOWN. Does the gentleman, as a milk dealer, believe in retail prices by the Pennsylvania Milk Control Commission? Yes, or no?

Mr. FOX. Well, Mr. Speaker . . .

Mr. DOWN. Yes, or no?

Mr. FOX. I will answer the question in whatever way I prefer. That is a question that is hard to answer yes or no. I would say, in general I am in sympathy with what the Milk Control Commission is trying to do.

Mr. DOWN. Do you favor the retail prices of the Pennsylvania Milk Control Commission?

Mr. FOX. Well, I am going to say that the questions are not pertinent to the bill before us, but I will not refuse to answer. I will say yes.

Mr. DOWN. Thank you very much. If this bill passes there is no question it will help you. It will guarantee that you will have no competition and, without retail pricing, all dealers were guaranteed a minimum price at which they would sell their products and all dealers would sell at the same price. I believe that all the members of the House should vote against this bill.

The SPEAKER. For what purpose does the gentleman from Lawrence, Mr. Fox, rise?

Mr. FOX. To make one brief comment. The gentleman from Mercer, Mr. Down, said if this bill would pass it would help me. That is absolutely untrue. There are none of these operations in my county or anywhere within the district where our business operates. I do, however, have cognizance of the effect of these operations on other licensed dealers and I am aware of the damage they are doing to these people, but personally I have nothing, absolutely nothing whatsoever, to gain

from this bill and I resent very much the implication that I do.

As far as the comment about competition, the milk industry is a very competitive industry. The mere fact that price is not a factor of competition does not mean that competition is eliminated.

I thank you, Mr. Speaker, for the opportunity to speak again.

Mr. FOOR. Mr. Speaker, I wonder if in this debate we have not tended to forget the milk producer. I have been contacted by dairymen in my county asking me to support this bill because they feel that if this sale of jug milk continues it will harm them as producers of milk. It is definitely an advantage to the milk producer who lives on a hard-surface road or main artery to be able to sell his milk in this area. It is going to be detrimental to the farmer who is back in the rural area who produces most of our milk because his market will be taken from him. I believe already in this jug industry there has been price cutting and if that continues it will mean the sale of more and more of this milk and it will harm our milk producers who are not on the main roads.

I would like to ask all the members to vote for this bill.

Mr. FARABAUGH. Mr. Speaker, I believe there have been some inferences here that may lead to the wrong conclusions. The inference in some statements made here is that this bill would help the now-licensed milk dealers and not the farmer. That is an incorrect inference. The fact is that when the control commission holds a hearing they take testimony from the dealers and the producers and the consumers to determine what the price should be and where that business has been taken away from him and that means that some farmer got less milk in class I. Therefore he gets less money for his milk.

The wrong opinion seems to be scattered here that this is a milk-dealers' bill. It is not. This is simply a bill to regulate all the industry and not only part of it. I am surprised to see the opinion of many people here who have talked on various bills in the past, talking about protecting a certain group, or a certain industry and upgrading their business, and here they want to favor a bill that tears it down. The business is being regulated. The dealer is allowed to put any of his costs into the cost of distribution and the price is derived as a result of the information given at those hearings. The basis of the price is generally set on class I and those other classes of milk are at a lower price. Therefore, when a dealer loses any of his class I sales it automatically throws the loss onto the producer from whom he is buying.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Goldstein.

Mr. M. H. GOLDSTEIN. Mr. Speaker, I am a little confused about the bill and I would like to ask the gentleman from Lawrence, Mr. Fox, several questions.

The SPEAKER. Will the gentleman from Lawrence, Mr. Fox, permit himself to be interrogated?

Mr. FOX. I shall, Mr. Speaker.

Mr. M. H. GOLDSTEIN. Mr. Speaker, under the law today is a farmer who produces his own milk subject to price control if he sells it from his farm?

Mr. FOX. I think I heard the question. I believe it was that he is subject to the price control if he sells at his own farm?

Mr. M. H. GOLDSTEIN. Is he subject today under the present law?

Mr. FOX. If he sells all of his products at his own farm he is not subject. If he sells a part of his products through the usual channels of home delivery or stores, then he is subject.

Mr. M. H. GOLDSTEIN. Then is the purpose of this bill to make it certain that a farmer who sells a part of his products from his farm would then be subject to control under the bill? That is the purpose, is it not, to expand the prices?

Mr. FOX. The purpose of the bill is to assure that every person who goes into the milk business to the extent that he puts in pasteurizing equipment, which is quite expensive—when he goes into the business to that extent that he would have to be licensed whether he sold it from his own farm or otherwise.

Mr. M. H. GOLDSTEIN. Under this particular amendment, the only four words inserted in the bill are "has not been pasteurized." Does this not mean that a person who sells raw milk will be exempt from the bill and will not be subject to price control? Is that correct?

Mr. FOX. That is correct if he sells only at the farm.

Mr. M. H. GOLDSTEIN. Does this not mean that people who, because of a lack of finances, may have a choice between pasteurized milk from the farmer at a higher price and raw milk at a lower price and may purchase the raw milk at a lower price?

Mr. FOX. It does not necessarily mean that, Mr. Speaker. There are many, many farmers in each of our counties who could presently sell raw milk to these people if that is what they want. This bill is not going to make raw milk any more readily available than it is today.

Mr. M. H. GOLDSTEIN. Thank you.

Mr. Speaker, I think I am right in my analysis of this bill. Of course, when you study a milk control bill you get very confused. It appears that when you pass this bill that pasteurized milk sold from a farm will be subject to the milk control law, which it is not today, to my knowledge, then the farmer who does not want to have a pasteurizing machine will elect to sell raw milk from his own premises.

I think it is opening the door to two features which are unsound. First, we are driving more people into price control, and, secondly, we are opening the door to the sale of more raw milk because of financial reasons. For that reason I think we should oppose the bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—80

Adams,	Frascella,	Manbeck,	Rutherford,
Anderson, J. H.,	George,	Markley,	Seltzer,
Ashton,	Gibbons,	Marsh,	Slack,
Auker,	Goldstein, J. H.,	McCandless,	Snare,
Backenstoe,	Goodrich,	McDevitt	Stank,
Blair,	Heavey,	McDonald,	Steckel,
Bossert,	Heffner,	McInroy,	Stimmel,
Breth,	Holliday,	McKeever,	Stiteler,
Buchanan,	Holman,	McNally,	Ujobai,
Crossin,	Horst,	Merry,	Varnier,
Davis,	Johnson, R. P.,	Munley,	Verona,
Dougherty,	Kessler,	Musto,	Wall,
Ellberg,	King,	Needham,	Wargo,
Elvey,	Kistler,	O'Dell,	Weidner,

Eshback,	Kooker,	O'Donnell, J. A.,	Wescott,
Eshleman,	Korns,	Piper,	Williams, E. S.,
Farabaugh,	Lee, K. B.,	Riley,	Yetter,
Fetterolf,	Limper,	Rovansek,	Zember,
Foerster,	Long, Wm. Jos.,	Royer,	Zimmerman,
Foor,	Lutty,	Rudisill,	Andrews,

Speaker

NAYS—119

Anderson, S. A.,	Galley,	Kramer,	Pursley,
Arlene,	Gallagher,	Lamb,	Reibman,
Bachman,	Gelfand,	Lawson,	Renwick,
Boles,	Gibb,	Lee, A. M.,	Rubin,
Bonner,	Goldstein, M. H.,	Leonard,	Sakulsky,
Bower,	Gramlich,	Lippincott,	Scarcelli,
Bowman,	Gray,	Long, Wm. Jas.,	Schaaf,
Branca,	Greenlee,	Magee,	Schuster,
Bush,	Gremminger,	Maxwell,	Shelton,
Capano,	Gross,	May,	Sherman,
Capitolo,	Guesman,	McCann,	Shupnik,
Cauley,	Guthrie,	McLaughlin,	Simmons,
Cioffi,	Hamilton,	Meholchick,	Stone,
Clarke,	Hankins,	Miller,	Strausser,
Comer,	Hartley,	Mills,	Sullivan, J. A.,
Cooley,	Haudenschild,	Monroe,	Sullivan, T. F.,
Dengler,	Helm,	Morley,	Taylor,
Dennison,	Hocker,	Mullen,	Thompson,
Donaldson,	Holl,	Murphy,	Tomasick,
Doughten,	Irvis,	O'Donnell, J. P.,	Tompkins,
Down,	Jenkins,	Odorisio,	Truslo,
Edwards,	Jim,	Ogilvie,	Walsh,
Esler,	Jones,	Parlante,	Welsh,
Ewing,	Kamyk,	Pashley,	Whittaker,
Filo,	Kelser,	Perry,	Willaredt,
Fineman,	Kelly,	Petrosky,	Williams, A. D.,
Flynn,	Kernaghan,	Polaski,	Wilt,
Fox,	Klein,	Polen,	Wood,
Fry,	Knecht,	Prendergast,	Worley,
Fulmer,	Kornick,	Price,	

NOT VOTING—11

Cianfrani,	Isaacs,	Mihm,	Willard,
Curwood,	Johnson, A. W.,	Murray,	Wynd,
Henzel,	McCormack,	Reidenbach,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Mr. HELM IN THE CHAIR

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1630, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), providing a further limitation on the taxing authority of school districts lying in more than one county.

On the question,

Will the House agree to the bill on third reading?

Mr. GOODRICH asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Sec. 1 (Sec. 672.1), page 2, by inserting between lines 15 and 16

The provisions of this section shall not be applicable to any school district which levies its real estate taxes upon one predetermined ratio of actual value as provided in section 703.2 of the act of May 21, 1943 (P. L. 571), known as "The Fourth to Eighth Class County Assessment Law," added June 20, 1957 (P. L. 344), except that any school district may adjust its real estate tax levy so as to be in conformity with such section and in conformity with this section.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

COMMITTEE MEETINGS

COUNTIES, Mr. Cioffi, chairman, Room 131-C, Wednesday, July 12, at 10 a.m.

LAW and ORDER, Mr. Welsh, chairman, Room 522, Wednesday, July 12, at 11:45 a.m.

MUNICIPAL CORPORATIONS, Mr. Polaski, chairman, Room 331, Wednesday, July 12, at 11 a.m.

ALL TIMES ARE DAYLIGHT SAVING TIME

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 94.

An Act amending the act of June 25, 1895 (P. L. 275), entitled "City Classification Law" further regulating the change in classification of cities changing the method of reclassifying cities of the second class A upon a decrease in population authorizing retention of existing classification authorizing elections and permitting selection of a form of city government in such cases from among several optional plans.

SENATE BILL No. 114.

An Act reenacting and amending section 13 and Article VII of Chapter II of the act of December 15, 1959 (P. L. 1779), entitled "The Fish Law of 1959" removing the requirement that fishermen be licensed in order to fish in certain regulated fishing lakes further regulating the issuance of permits or bills of sale for fish caught in such lakes changing penalties relating to such lakes and harmonizing language of existing law.

SENATE BILL No. 115.

An Act making an appropriation to the committee appointed by the 1960 General Assembly to study the unemployment problem in Pennsylvania.

SENATE BILL No. 125.

A Joint Resolution proposing an amendment to article three of the Constitution of the Commonwealth of Pennsylvania authorizing and validating legislation establishing emergency interim government.

SENATE BILL No. 439.

An Act amending the act of March 31, 1949 (P. L. 372) entitled "The General State Authority Act of 1949" empowering the Authority to construct additions and improvements to manual training schools receiving State aid authorizing contracts to lease and leases by the Department of Public Instruction from the Authority of any additions or improvements to manual training and agricultural and industrial schools receiving State aid and furnishing and equipment thereof when used or occupied and authorizing subleases of such projects.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

BILL ON FINAL PASSAGE POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN,

The House resumed the consideration on final passage of House bill No. 1665, entitled

An Act amending the "Local Tax Enabling Act" approved June 25, 1947 (P. L. 1145), requiring taxes collected upon the transfer of real property or of any interest in real property to be collected at the county seat.

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. LAMB asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Title, page 2, last line of Title, by inserting after "seat" in counties of the second class

Amend Sec. 1 (Sec. 1), page 7, line 2 by striking out "All" and inserting: In counties of the second class, all

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1541, entitled:

An Act relating to the manufacture sale and possession of drugs devices and cosmetics conferring powers on the courts and the Secretary and Department of Health providing penalties and for the revocation or suspension of certain licenses making an appropriation to the Department of Health and repealing certain acts.

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Messrs. MAXWELL and CIOFFI asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Section 2, page 3, line 11, by striking out "restricted drug" and inserting "nonproprietary drug"

Amend Section 2, page 3, line 12, by striking out "antibiotics"

Amend Section 2, page 3, lines 15, 16, 17 and 18 by striking out "or any other drug or device designated by the," on line 15, and all of lines 16, 17 and 18.

Amend Section 3, page 10, lines 14 and 15 by striking out said lines and inserting The sale of a nonproprietary drug except by a registered pharmacist in a licensed pharmacy

Amend Section 10, pages 23 and 24, lines 4 to 19, on page 23 and lines 1 to 5 on page 24 by striking out all of said lines.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

Mrs. KOOKER asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Sec. 2, page 3, lines 9 and 10, by striking out "for which no claim other than cleansing action is made."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question recurring,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILLS ON FINAL PASSAGE POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN,

The House resumed the consideration on final passage of House bill No. 1652, entitled.

An Act amending the act of April 24, 1913 (P. L. 114), entitled "An act regulating the time of payment of wages and earnings and providing a penalty for violation hereof" further regulating the time of payment of wages and earnings.

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. MURPHY asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Sec. 1 (Sec. 1), page 2, line 4, by striking out "tri-monthly" and inserting: thrice monthly

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN,

The House resumed the consideration on final passage of House bill No. 1744, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), requiring certain vehicles and combinations of vehicles equipped with air brakes to be equipped with emergency brakes.

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. LAMB asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Sec. 1 (Sec. 816), page 2, line 10, by striking out "a Fail-safe Automatic Emergency Mechanical Brake" and inserting: an automatic emergency braking system

Amend Sec. 1, (Sec. 816), page 2, line 13, by striking out "brake" and inserting braking system

Amend Sec. 1 (Sec. 816), page 2, line 14, by striking out "other" and inserting: the regular

Amend Sec. 1 (Sec. 816), page 2, line 16, by striking out "brake" and inserting: braking

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 508, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code" further defining disorderly

conduct in order to protect passengers lawfully occupying any railroad or railway passenger station or platform.

On the question,

Will the House agree to the bill on third reading?

Mr. WELSH asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Title, page 1, next to last line of Title by striking out "or railway" and inserting: railway, elevated railway or subway

Amend Title, page 1, last line of Title, by inserting after "station" bus terminal

Amend Sec. 1 (Sec. 407), page 2, line 4 by inserting after "Platforms" Bus Terminals

Amend Sec. 1 (Sec. 407) page 2, line 7 by striking out "or railway" and inserting: railway, elevated railway or subway

Amend Sec. 1 (Sec. 407), page 2, line 8 by inserting after "station" or bus terminal

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 509, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code" prohibiting the use of railroad passenger station facilities by loiterers.

On the question,

Will the House agree to the bill on third reading?

Mr. WELSH asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Title, page 1, next to last line of Title, by inserting after "railroad" railway, elevated railway and subway

Amend Title, page 1, next to last line of Title, by inserting after "station" and bus terminal

Amend Sec. 1 (Sec. 699.14), page 2, line 1, by inserting after "in" Railroad

Amend Sec. 1 (Sec. 699.14), page 2, line 1, by inserting after "Railway" Elevated Railway, Subway

Amend Sec. 1 (Sec. 699.14), page 2, line 1, by inserting after "Stations" Bus Terminals

Amend Sec. 1 (Sec. 699.14), page 2, line 3, by striking out "or" where it appears the first time

Amend Sec. 1 (Sec. 699.14), page 2, line 3, by inserting after "railway" elevated railway or subway

Amend Sec. 1 (Sec. 699.14), page 2, line 3, by inserting after "station" or bus terminal

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

SENATE MESSAGE

SENATE CONCURRENT RESOLUTION SERIAL NO. 108

The clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, February 18, 1961.

Whereas, On January 8, 1961 a prison break was attempted by some of the inmates at the penal institution known as The Eastern State Correctional Institution located in the City of Philadelphia. This outbreak was quelled. This prison is one hundred and thirty years old. It houses 991 prisoners of which 177 are maximum security cases, consisting of those who are serving life sentences, awaiting execution and others who require the utmost in security measures.

The facilities of this penal institution are outmoded and woefully lacking in the equipment and necessary facilities in taking care of inmates of this type. It also has become apparent to many that an institution of this kind should not be located in the heart of a residential section as it now is in the City of Philadelphia. There has been widespread fear of the residents who reside around the area where this institution is located.

It is the sense of the Senate of the Commonwealth of Pennsylvania that a study should be made by the Joint State Government Commission of the facilities and security measures surrounding this institution, as well as the Western State Correctional Institution, also a study of removal of all institutions from the Cities of Philadelphia and Pittsburgh to a place better located for institutions of this kind; therefore be it

Resolved (the House of Representatives concurring), That the Joint State Government Commission determine and recommend suitable sites to which the Western and Eastern State Correctional Institutions may be moved; and be it further

Resolved, That the Joint State Government Commission determine and recommend the type of institution that should be built in order to accommodate the inmates of Western and Eastern State Correctional Institutions; and be it further

Resolved, That in developing the study herein provided for, the Joint State Government Commission give particular attention to the possible location of either or both of said Eastern and Western Correctional Institutions in a county in northern Pennsylvania wherein are located large tracts of unoccupied lands already owned by the Commonwealth; and be it further

Resolved, That the Joint State Government Commission make a report of its studies and recommendations to the General Assembly by April 15, 1961.

Ordered, That the clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

Mr. COMER and Mrs. PASHLEY offered the following amendments.

Amend Third paragraph of preamble, line 6 by striking out "Cities of Philadelphia and" and inserting: City of Philadelphia
Amend Resolution by inserting between third and fourth "Resolved clause"

Resolved, That the Joint State Government Commission determine the advisability of creating more forestry camps, minimum security low cost farm colonies and a study and research center that would provide short and long term active rehabilitative treatment of mentally dis-

turbed prisoners and provide us with badly needed information on the causes and motivations of these criminal minds. It should also consider the recommendation of the Pennsylvania Prison Society Executive Committee of March 9, 1961 when it said: "We strongly urge that long-range plans for expansion of the institutional facilities of the Bureau of Correction be developed on the basis of careful research and study guided by the recommendations of the Bureau of Correction and other persons who are competent to advise in such matters;" and be it further

Amend last resolution, line 3 by striking out "April 15, 1961" and inserting: January 15, 1962

They were agreed to.

On the question,

Will the House agree to the resolution as amended?

It was agreed to.

Ordered, that the resolution as amended lie over for printing.

BILLS AND RESOLUTIONS PASSED OVER

Mr. McCANN. Mr. Speaker, I request that all other bills and resolutions on today's calendar not acted upon be passed over.

The SPEAKER pro tempore. The Chair hears no objection.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 754.

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), including the Oil and Gas Conservation Commission as a departmental administrative commission in the Department of Mines and Mineral Industries.

HOUSE BILL No. 755.

An Act defining and prohibiting waste in the production of oil and gas defining the powers and duties of the Oil and Gas Conservation Commission and the Oil and Gas Division of the Department of Mines and Mineral Industries with respect to the prevention of waste in the production of oil and gas from certain geological horizons * * * imposing penalties and making an appropriation.

HOUSE BILL No. 1284.

An Act amending the act of May 4, 1927 (P. L. 519), entitled "The Borough Code" authorizing ordinances and certain resolutions to be in force after attachment to the borough ordinance book and validating certain borough records.

HOUSE BILL No. 1331.

An Act authorizing the Department of Highways with the approval of the Governor to construct a highway and to erect and maintain a bridge over the Schuylkill River in Montgomery County.

HOUSE BILL No. 1533.

An Act to protect the public of the Commonwealth against vendors who misleadingly present their products as having been made by the blind and to prevent misleading use of the word blind in titles of organizations offering products for sale and providing penalties.

With the information that the Senate has passed the same without amendment.

SENATE MESSAGE

The clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Amended House bills returned for concurrence Nos. 1025 and 1181.

REPORTS FROM COMMITTEE

Mr. MURRAY from the Committee on Education, reported as committed, Senate bill No. 373, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" changing certain salaries and work loads prescribing extension education areas decreasing the number of names needed for free extension education raising the deposit fee and providing for a tuition fee in certain instances deleting provisions relating to free evening schools and making an appropriation.

Mr. MURRAY from the Committee on Education, reported as committed, Senate bill No. 716, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" clarifying and changing provisions relating to social studies curriculum.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 373, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" changing certain salaries and work loads prescribing extension education areas decreasing the number of names needed for free extension education raising the deposit fee and providing for a tuition fee in certain instances deleting provisions relating to free evening schools and making an appropriation.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 716, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" clarifying and changing provisions relating to social studies curriculum.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

ADJOURNMENT

Mr. WILT. Mr. Speaker, I move that this House do now adjourn until Wednesday, July 12, 1961 at 11 a.m., e.s.t.

The motion was agreed to, and (at 5:20 p.m., e.s.t.) the House adjourned.

Legislative Journal.

Session 1961.

145th of the General Assembly.

Vol. 38.

HARRISBURG, PA., WEDNESDAY, JULY 12, 1961.

No. 75

SENATE

WEDNESDAY, JULY 12, 1961

The Senate met at 10:30 a. m., Eastern Standard Time.

The PRESIDING OFFICER (Joseph D. Ripp) in the Chair.

PRAYER

The Chaplain, Rev. GEORGE A. SMITH, Pastor of Saint Paul's United Church of Christ, Fort Washington, offered the following prayer:

Let us pray.

Eternal God, Father of us all, in this morning hour we once again look to Thee for guidance. Thou art the Life of all that lives, the Strength of the weak, and the Hope of the despairing. For Thee, no dawn rises and no evening sets. Lift up Thy countenance upon us and illumine our whole being.

Make us conscious of our limited strength and vision and help us to rely on Thy strength and power. Open our eyes and minds and hearts that we may catch more than a mere glimpse of Thee. Rather, may Thy being flood our inmost self to quicken and to arouse.

Forgive us for the times we have misused Thy good gifts, the opportunities neglected, the half-truths accepted, the superficial judgements meted out, the cynical attitudes nourished. Pardon in us the unkind word, the unsympathetic heart, the false ambition, and every unworthy purpose which may have ruled our life. May the white light of Thy truth renew and cleanse us, O Lord, and support us always as we seek the path of righteousness and noble endeavor.

May our actions today bring glory to our Commonwealth and to us all, and may justice and mercy abound now and always. In the name of Christ, our Lord. Amen.

JOURNAL APPROVED

The PRESIDING OFFICER. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. LANE and Mr. WEINER, further reading was dispensed with, and the Journal was approved.

COMMUNICATION FROM THE GOVERNOR

APPROVAL OF SENATE BILL

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the

Governor, advising that the following Senate Bill had been approved and signed by the Governor:

SB 95.

NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

MEMBER OF THE BOARD OF TRUSTEES OF HAZLETON STATE HOSPITAL

July 12, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Thomas Kennedy, Jr., 545 West Diamond Avenue, Hazleton, Luzerne County, for reappointment as a member of the Board of Trustees of Hazleton State Hospital, until the third Tuesday of January 1967, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

JUDGE, COURT OF COMMON PLEAS, LUZERNE COUNTY

July 12, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Charles A. Shea, Jr., Raeder Avenue, Nuangola Lake, Luzerne County, for appointment as Judge of the Court of Common Pleas of the Eleventh Judicial District of Pennsylvania, composed of the County of Luzerne, until the first Monday of January 1962, vice Hon. J. Harold Flannery, deceased.

DAVID L. LAWRENCE.

TREASURER IN AND FOR THE COUNTY OF INDIANA

July 11, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Earl G. Piefer, 1495 Indian Springs Road, Indiana, Indiana County, for appointment as Treasurer in and for the County of Indiana, until the first Monday of January 1962, vice Hon. Walter Work, deceased.

DAVID L. LAWRENCE.

HOUSE MESSAGES

SENATE BILL RETURNED WITH AMENDMENTS

The clerk of the House of Representatives being introduced, returned to the Senate, **SB 100**, with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The **PRESIDING OFFICER**. The bill, as amended, will be placed on the Calendar.

HOUSE CONCURS IN SENATE BILLS

He also returned to the Senate, **SB 86, 219, 239, 306, 309, 317, 318, 417 and 629**, with the information that the House has passed the same without amendments.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence **HB 156, 729 and 738**, which were referred to the Committee on Local Government.

He also presented for concurrence **HB 471, 1028 and 1114**, which were referred to the Committee on Highways.

He also presented for concurrence **HB 527, 626 and 628**, which were referred to the Committee on Law and Order.

He also presented for concurrence **HB 749**, which was referred to the Committee on Military Affairs and Aeronautics.

He also presented for concurrence **HB 1008**, which was referred to the Committee on State Government.

He also presented for concurrence **HB 1421**, which was referred to the Committee on Elections.

REPORTS FROM COMMITTEES

Mr. **VAN SANT**, from the Committee on State Government, reported, as committed, **HB 1476**.

Mr. **MURRAY**, from the Committee on Labor and Industry, reported, as committed, **HB 107, 1234, 1262, 1263, 1440 and 1683**; rereported, as committed, **SB 536 and 692**.

CALENDAR

FINAL PASSAGE CALENDAR

BILLS OVER IN ORDER

SB 198, 493, 687, HB 1082 1140, 1241, 1353, 1367 and 1450—Without objection, the bills were passed over in their order at the request of Mr. **WEINER**.

THIRD READING CALENDAR

BILLS OVER IN ORDER

SB 23, HB 53, 67, 95, SB 196, HB 197, 257, SB 351, 353, 503 and 646—Without objection, the bills were passed over in their order at the request of Mr. **WEINER**.

BILL OVER IN ORDER TEMPORARILY

SB 672—Mr. **WEINER**. Mr. President, I request that Senate bill No. 672, Printer's No. 950, go over in its order temporarily.

The **PRESIDING OFFICER**. Is there objection?

Mr. **BELL**. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Weiner, as to his intentions on Senate bill No. 672.

The **PRESIDING OFFICER**. The gentleman from Phila-

delphia, Mr. Weiner, has requested that the bill go over in order temporarily.

Mr. **BELL**. Mr. President, I wanted to know what the word "temporarily" meant.

Mr. **WEINER**. Mr. President, I do not know whether the gentleman will accept the definitions given by Mr. Webster or Funk and Wagnall, but whichever one he—

Mr. **BELL**. Mr. President, I would rather accept Senator Weiner's definition.

Mr. **WEINER**. Mr. President, Senator Weiner, according to Funk and Wagnall and Webster, means that we are awaiting departmental amendments to come over. I hope they will be here before we have finished the Calendar in order for me to appropriately amend this measure and move it along. At the same time, I want to move House bill No. 1595, which is also on the Calendar.

Mr. **BELL**. I think the Presiding Officer concurs that that is a much better explanation than what Webster would give.

The **PRESIDING OFFICER**. It is consistent with what Webster said and we shall continue with the order of business.

There being no objection, the bill will go over in its order temporarily.

BILLS OVER IN ORDER

SB 688 and 690—Mr. **WEINER**. Mr. President, I request that Senate bill No. 688 and Senate bill No. 690 go over in their order since they are part of the education package.

The **PRESIDING OFFICER**. There being no objection, the bills will go over in their order.

SB 704, 705, 706 and 707—Without objection, the bills were passed over in their order at the request of Mr. **FLEMING**.

BILL ON THIRD READING AND FINAL PASSAGE

SB 730 (Pr. No. 1069)—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. **WEINER**. Mr. President, may we be at ease a moment?

The **PRESIDING OFFICER**. The Senate will be at ease. (The Senate was at ease.)

Mr. **STROUP**. Mr. President, I desire to be recorded as voting "aye."

The **PRESIDING OFFICER**. The gentleman will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—33

Bell,
Camel,
Chapman,
DiSilvestro,
Flack,
Fleming,
Haluska,
Hawbaker,
Kalman,

Keller,
Kromer,
Lane,
Mahady,
Mallery,
McGinnis,
Mullin,
Murray,

Rooney,
Sarraf,
Scott,
Seyler,
Shafer,
Silvert,
Stalsey,
Stevenson,

Stroup,
Taylor,
Van Sant,
Wade,
Wagner,
Ware, III,
Weiner,
Ripp,
Presiding Officer

NAYS—5

Confair,
Hays,

Miller,

Propert,

Yatron,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

SB 811 and HB 1174—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

BILL ON THIRD READING AND FINAL PASSAGE

HB 1294 (Pr. No. 1953)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kakman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Probert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarra,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, that the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

HB 1307, 1402, 1414 and 1515—Without objection, the bills were passed over in their order at the request of Mr. FLEMING.

HB 1551—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILL ON THIRD READING AND FINAL PASSAGE

HB 1595 (Pr. No. 2476)—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constiution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Probert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarra,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

SB 672 CALLED UP

SB 672 (Pr. No. 950)—Without objection, the bill, which previously went over in its order temporarily, was called up, from page 5 of the Third Reading Calendar, by Mr. WEINER.

BILL ON THIRD READING AMENDED

SB 672 (Pr. No. 950)—Read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. WEINER, by unanimous consent, offered the following amendment:

Amend Sec. 1 (Sec. 3), page 2, line 15 by inserting after "shall": during any twelve month period

On the question,

Will the Senate agree to the amendment?

It was agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. WEINER.

ANNOUNCEMENT CONCERNING PUBLIC HEARINGS BEFORE COMMITTEE ON LOCAL GOVERNMENT

Mr. HALUSKA. Mr. President, the Committee on Local Government is holding Public Hearings on House Bill No. 1438 and House Bill No. 1221. We have promised the proponents and the opponents a three-hour hearing every day. We have one-half hour to go in order to keep our commitment.

I, therefore, called a recess so we could all vote on these measures. Now, since we are about to consider the Second Reading Calendar, I would like to ask the Members of the Local Government Committee to come down and complete the last half-hour of today's hearing.

The PRESIDING OFFICER. Before you leave, gentlemen, if any Members of the Committee on Local Government are acting as secretaries to various committees, please make your committee reports before you leave.

Mr. FLEMING. Mr. President, I listened to the request made by Senator Haluska. I wish Senator Haluska would listen to what I am going to say.

I have listened to the request made by Senator Haluska that the Local Government Committee continue its public hearing. With that, Mr. President, I am in perfect accord. However, I rather question the propriety of holding a public hearing while the Senate is in Session. Therefore, I would suggest that we take a recess for a half-hour in order to let the gentleman conclude his public hearing and then come back into Session.

Mr. WEINER. Mr. President, I would like to add a suggestion to the one just made. I would suggest that we continue on here for perhaps a half an hour. Then I think the gentleman will have the rest of the time to hold his hearing. We should be able to get through the Calendar, and thereafter those of us who are needed

here can remain and the other Members can go down to the hearing, if they would like to.

If the Chairman of the Committee on Local Government will ask that they have a recess of his own hearing, possibly for one-half hour, we should be able to conclude our business here by that time.

Mr. HALUSKA. Mr. President, I certainly have no objection. I would like to have the Members come down, but I am fearful that they may go home. It is important that they stay. We have one-half hour more to go and I certainly will go along with the suggestion. However, I do ask the Members of that Committee to be kind enough to report to the Committee Hearing after the Session is over.

The PRESIDING OFFICER. Accordingly, the request of Senator Haluska has been modified to the effect that after the Session is over today, the Members will immediately proceed to the Senate Caucus Room, on the first floor, to continue with the Local Government Public Hearing.

REPORTS FROM COMMITTEE

Mr. MAHADY, by unanimous consent, from the Committee on Law and Order, reported, as committed, **SB 758** and **HB 161**; as amended, **HB 1083**.

RESOLUTION REPORTED FROM COMMITTEE

Mr. MAHADY, by unanimous consent, from the Committee on Law and Order, reported, without amendment, Senate Resolution, **Serial No. 82**, entitled:

Senate Committee to Examine Secret Agreement Prohibiting Students from Transferring from one University or Professional School to Another

The PRESIDING OFFICER. The resolution will be placed on the Calendar.

REPORTS FROM COMMITTEE

Mr. HAYS, by unanimous consent, from the Committee on Education, reported, as committed, **SB 695**, **769**, **806**, **830** and **HB 616**.

BILL INTRODUCED AND REFERRED

Messrs. SILVERT and PROPERT, by unanimous consent, presented to the Chair **SB 860**, entitled:

An Act amending the act of May 15, 1933 (P. L. 624), entitled, as amended, "Banking Code," further providing for authorized investments and limitations on loans.

Which was committed to the Committee on Banking.

SECOND READING CALENDAR

BILL ON SECOND READING AMENDED

SB 375 (Pr. No. 924)—The bill was read.

On the question,

Will the Senate agree to the bill on second reading?

Messrs. SEYLER and STIEFEL offered the following amendments:

Amend Bill, page 1, by inserting between the enacting clause and line 1:

Section 1 Legislative Findings.—The General Assembly finds that it is in the public interest and for the public welfare to regulate collection agencies in this Commonwealth by providing for their licensing and supervision in order to protect

the public from abuses which may arise from the activities of such agencies while at the same time securing the benefit to our economy of such activities when undertaken by reputable agencies.

Amend Sec. 1, page 1, line 1 by striking out "1" and inserting: 2

Amend Sec. 2, page 2, line 1 by striking out "2" and inserting: 3

Amend Sec. 2, page 2, line 2 by striking out "(1)" and inserting: (a)

Amend Sec. 2, page 2, line 3 by striking out "(2)" and inserting: (b)

Amend Sec. 2, page 2, line 4 by striking out "(3)" and inserting: (c)

Amend Sec. 2, page 2, line 6 by striking out "authorized" and inserting: admitted

Amend Sec. 2, page 2, line 7 by striking out "State and resident herein" and inserting: or any other state

Amend Sec. 2, page 2, line 8 by inserting after "Pennsylvania": or of the United States

Amend Sec. 2, page 2, lines 9 to 12 by striking out "or professional" in line 9, both of lines 10 and 11 and "or permit to practice or follow their profession" in line 12.

Amend Sec. 2, page 2, line 13 by striking out "and."

Amend Sec. 2, page 2, line 13 by striking out "whose principal business is not" and inserting: less than fifty percent of whose gross income from his activities of such is from the business of

Amend Sec. 2, page 2, line 18 by striking out "(4)" and inserting: (d)

Amend Sec. 2, page 3, by inserting between lines 2 and 3:

(e) "Person" means any individual partnership association or corporation

(f) "Claimant or forwarder" means any person who has placed an account bill or other indebtedness with a collection agency for the purpose of collecting or receiving payment thereon

Amend Sec. 3, page 3, line 3 by striking out "3" and inserting: 4

Amend Sec. 3, page 3, line 3 by striking out "Required."

Amend Sec. 3, page 3, line 4 by striking out "or as a collector or solicitor."

Amend Sec. 3, page 3, line 5 by striking out "as required by this act" and inserting: from the secretary A person operating more than one place of business as a collection agency shall obtain a separate license for each such place of business

Amend Sec. 4, page 3, line 6 by striking out "4 Licenses Applications Fees Bond" and inserting: 5 License Application and Fees

Amend Sec. 4, page 3, line 7 by striking out "licenses" and inserting: a license or renewal thereof

Amend Sec. 4, page 3, line 9 by inserting after "shall": be issued for a period of two years and shall

Amend Sec. 4, page 3, line 9 by striking out "next following their date of issue" and inserting: biennially

Amend Sec. 4, page 3, line 10 by inserting after "making": his initial

Amend Sec. 4, page 3, line 13 by striking out "unless the applicant is already licensed hereunder and" and inserting: He also shall pay

Amend Sec. 4, page 3, lines 14 and 15 by striking out "TWENTY-FIVE DOLLARS (\$25)" and inserting: two hundred dollars (\$200)

Amend Sec. 4, page 3, line 15 by striking out "annual" and inserting: biennial

Amend Sec. 4, page 3, lines 17 to 19 by striking out all of lines 17 and 18 and "the collector is engaged in business" in line 19 and inserting:

(c) Every application shall list the name or names of any person or persons employed by the applicant as a collector or solicitor and for every

such name so listed the applicant shall pay an additional biennial fee of four dollars (\$4). Every collector or solicitor so listed shall be issued an identification license which he shall carry with him at all times he is engaged in the business of his employer. Any collector or solicitor employed or who terminates his employment while a license is in effect shall be added or subtracted from the application by notice from the agency to the secretary.

Amend Sec. 5, page 4, line 3 by striking out "5 Licensees to Furnish" and inserting: 6

Amend Sec. 5, page 4, lines 7 and 8 by striking out "in the penal amount of ten thousand dollars (\$10,000)" and inserting: for the benefit of claimants or forwarders of the applicant in the principal sum of five thousand dollars (\$5000)

Amend Sec. 5, page 4, line 13 by striking out "penal" and inserting: principal

Amend Sec. 5, page 4, line 16 by striking out "year to year" and inserting: biennium to biennium

Amend Sec. 5, page 5, lines 6 and 7 by striking out "for the faithful observance of all the laws of this Commonwealth relating to collection agencies" and inserting: upon the obligors at all times operating as a collection agency in accordance with the provisions of this act

Amend Sec. 5, page 5, lines 12 to 15 by striking out all of said lines.

Amend Sec. 6, page 5, lines 16 and 17 by striking out all of line 16 and "Bond" in line 17 and inserting: (e)

Amend Sec. 6, page 6, lines 4 to 7 by striking out "deposit in the General Fund the net" in line 4, all of lines 5 and 6 and "excess of the penal amount of the bond such" in line 7 and inserting: turn over to the secretary the net proceeds from such sale and all cash similarly deposited as collateral with such bond. The secretary shall apply such proceeds and cash for the benefit of the claimants or forwarders of the obligor and any

Amend Sec. 6, page 6, by inserting between lines 8 and 9: (f) In the event that any applicant maintains more than one place of business in this Commonwealth a separate bond in the principal sum of five thousand dollars (\$5000) shall be filed for each such place of business

Amend Sec. 7, page 6, line 9 by striking out "(a)."

Amend Sec. 7, page 7, lines 1 to 7 by striking out all of said lines.

Amend Sec. 8, page 7, line 16 by striking out "5" and inserting: 6

Amend Sec. 8, page 7, line 18 by inserting after "effected": unless the licensee and any claimant or forwarder have agreed in writing otherwise

Amend Sec. 8, page 7, line 20 by striking out "stating" and inserting: by the secretary stating in detail

Amend Sec. 8, page 8, line 2 by striking out "five" and inserting: twenty

Amend Sec. 8, page 8, line 3 by inserting after "requested": In no event shall a complaint be issued more than three years after the act or failure to act on which the grounds for suspension or revocation are based

Amend Sec. 9, page 8, lines 10 to 14 by striking out "Appeals Refusal Suspension Revocation Any action of" in line 10, all of lines 11 to 14 and inserting: Administrative Agency Law to Apply All of the provisions of the act of June 4 1945 (P L 1388) the "Administrative Agency Law" shall apply to actions or proceedings taken or had under or as a result of this act

Amend Sec. 10, page 9, lines 5 to 7 by striking out all of said lines.

Amend Sec. 10, page 9, line 8 by striking out "(c)" and inserting: (b)

Amend Sec. 11, page 9, line 17 by inserting after "Powers": and Duties

Amend Sec. 11, page 9, lines 17 to 20 by striking out "It shall be the duty of the secre-" in line 17, all of lines 18 to 20 and inserting: The secretary shall have the following powers and duties with respect to the operation of any licensee

Amend Sec. 11, page 10, lines 5 and 6 by striking out "this act" and inserting: the act of June 24 1939 (P L 872) known as "The Penal Code" relating to collection agency practices

Amend Sec. 11, page 10, lines 10 to 19; page 11, lines 1 to 15 by striking out "The cost" in line 10, all of lines 11 to 19, page 10 and all of lines 1 to 15, page 11 and inserting:

(2) For the purpose of assisting and advising the secretary in the carrying out of his duties and exercising of his powers under this act the secretary shall appoint six persons residing in the Commonwealth who together with the secretary shall constitute the Collection Agency Board Two each of the members of the board shall be appointed from the following organizations which shall submit to the secretary for such purpose lists of names from which the appointments shall be made Pennsylvania Collectors Association Inc Commercial Law League of America and Associated Credit Bureaus of Pennsylvania Inc The first members appointed by the secretary shall serve for terms of one two three four five and six years respectively thereafter all terms shall be for six years The appointed members shall serve without compensation but shall be reimbursed for all expenses actually incurred by them in connection with their service on the board not in excess of thirty dollars (\$30) per day Meetings of the board shall be called by the secretary at least bimonthly

The secretary shall make and promulgate all rules regulations and orders necessary to carry out his powers and duties under this act but he shall have no power to make or issue any rule regulation or order establishing or regulating the rates or fees charged by any collection agency or advertising practices and procedures carried on by any collection agency

Amend Sec. 12, page 11, line 20; page 12, line 1 by striking out "and it is necessary to protect the interest of the public or when" and inserting: or at such time as has been agreed upon in writing by the licensee any claimant or forwarder or if

Amend Sec. 12, page 12, line 2 by striking out "for any reason whatsoever" and inserting: and the licensee has not within three months thereafter liquidated his collection agency business and paid all claimants or forwarders for whom he collected accounts and received payment thereon

Amend Sec. 12, page 12, line 10 by striking out "5" and inserting: 6

Amend Sec. 12, page 12, lines 11 to 13 by striking out all of lines 11 and 12 and "Money" in line 13 and inserting: including money

Amend Sec. 12, page 12, lines 13 to 16 by striking out "the termination" in line 13, all of lines 14 to 16 and inserting: possession is taken by the secretary

Amend Sec. 12, page 13, lines 4 and 5 by striking out "with the approval of the court of common pleas of the county wherein the main office is located."

Amend Sec. 12, page 13, line 9 by inserting after "claimants": or forwarders

Amend Sec. 12, page 13, line 12 by striking out "(F)" and inserting: (e)

Amend Sec. 12, page 13, line 13 by striking out "such newspapers as he may direct" and inserting: at least one newspaper of general circulation in the community in which the place of business of the licensee is located

Amend Sec. 12, page 14, line 3 by inserting after

"claim" where it appears the second time: to the claim of any creditor of the licensee

Amend Sec. 12, page 14, lines 7 to 9 by striking out "mail or" in line 7, all of line 8 and "prima facie evidence thereof shall be filed with the secretary" in line 9 and inserting: registered or certified mail return receipt requested which return receipt shall be prima facie evidence of service of said notice

Amend Sec. 12, page 14, line 11 by striking out "county" and inserting: judicial district

Amend Sec. 12, page 14, line 11 by inserting after "the" where it appears the second time: place of business of the

Amend Sec. 12, page 14, line 13, by striking out "filed" and inserting: made

Amend Sec. 12, page 14, line 16 by inserting after "court" where it appears the second time: upon petition of the secretary

Amend Sec. 12, page 15, line 2 by striking out "county" and inserting: judicial district

Amend Sec. 12, page 15, line 2 by striking out "main office" and inserting: place of business

Amend Sec. 12, page 15, line 15 by striking out "general creditors or if" and inserting: creditors If

Amend Sec. 12, page 15, line 16 by striking out "general creditors" and inserting: creditors or if after payment of said creditors in full there remain assets of the agency

Amend Sec. 12, page 15, line 17 by striking out "court for further disposition" and inserting: agency or its owner partners or stockholders

Amend Sec. 13, page 16, line 14 by inserting after "business": and showing the payments made on any account placed with the agency for collection

Amend Sec. 13, page 16, line 15 by inserting after "any": such

Amend Sec. 13, page 16, line 15 by striking out "placed with the licensee for collection."

Amend Sec. 13, page 16, line 17 by inserting after "paid": All other records of the business shall be retained by the licensee for at least two years

(c) For the purpose of enabling a licensee to maintain proper books and records every claimant or forwarder of a collection agency shall within thirty days after the close of each calendar month report to his agency any payments received directly by such claimant or forwarder on accounts placed with the agency for collection and shall pay or credit the agency all sums owing to it with respect to such accounts

Amend Sec. 15, page 17, lines 3 to 10 by striking out "Penalties (a) Any person violating any of the provis-" in line 3, all of lines 4 to 10 and inserting: Effective Date—This act shall take effect

April 1, 1962

On the question,

Will the Senate agree to the amendments?

They were agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. SEYLER.

BILLS OVER IN ORDER

SB 473, HB 573, SB 598, 611, 613, and 644—Without objection, the bills were passed over in their order at the request of Mr. FLEMING.

BILLS ON SECOND READING

SB 671 (Pr. No. 781) and SB 728 (Pr. No. 1076)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

SB 741—Without objection, the bill was passed over in its order at the request of Mr. FLEMING.

BILL ON SECOND READING

SB 767 (Pr. No. 915)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL REFERRED

SB 767 (Pr. No. 915)—Upon motion of Mr. WEINER, seconded by Mr. LANE, and agreed to, the bill just read was rereferred to the Committee on Appropriations.

BILL OVER IN ORDER

SB 791—Without objection, the bill was passed over in its order at the request of Mr. MAHADY.

BILL ON SECOND READING

SB 800 (Pr. No. 978)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL REFERRED

SB 800 (Pr. No. 978)—Upon motion of Mr. WEINER, seconded by Mr. LANE, and agreed to, the bill just read was rereferred to the Committee on Appropriations.

BILL OVER IN ORDER

SB 801—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILL ON SECOND READING

SB 823 (Pr. No. 1009)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

HB 826 (Pr. No. 2010)—The first section was read and agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. MAHADY. Mr. President, the amendment which I am about to offer will bring this bill into conformity with another bill appearing on the Third Reading Calendar.

The PRESIDING OFFICER. The Clerk will read the amendment.

The amendment was read by the Clerk as follows:

Amend Sec. 2 (Sec. 18), page 4, line 3, by inserting after "county": on such days other than Sundays and during such hours as the commission may from time to time designate.

It was agreed to.

The section was agreed to as amended.

The third section and title were read and agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. MAHADY.

BILLS ON SECOND READING

SB 842 (Pr. No. 1042) and SB 852 (Pr. No. 1065)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

HB 884—Without objection, the bill was passed over in its order at the request of Mr. FLEMING.

BILLS ON SECOND READING

HB 943 (Pr. No. 1044), HB 1015 (Pr. No. 1641) and HB 1023 (Pr. No. 2461)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

HB 1075, 1085, 1098, 1099, 1101, 1105, 1163, 1172, 1178 and 1190—Without objection, the bills were passed over in their order at the request of Mr. FLEMING.

HB 1206 and 1207—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

HB 1220 and 1335—Without objection, the bills were passed over in their order at the request of Mr. FLEMING.

BILLS ON SECOND READING

HB 1403 (Pr. No. 1673), HB 1494 (Pr. No. 1842), and HB 1495 (Pr. No. 1843)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

HB 1496, 1540, 1588 and 1616—Without objection, the bills were passed over in their order at the request of Mr. FLEMING.

BILL ON SECOND READING

HB 1644 (Pr. No. 2358)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

HB 1666, 1667, 1668, 1678 and 1704—Without objection, the bills were passed over in their order at the request of Mr. FLEMING.

SENATE RESOLUTION, SERIAL No. 84,
CALLED UP

Mr. WEINER, without objection, called up from page 20 of the Calendar, Senate Resolution, Serial No. 84, entitled:

Directing the Joint State Government Commission to Study the Necessity of Using Larger Type in Certain Publications.

On the question,

Will the Senate adopt the resolution?

SENATE RESOLUTION, SERIAL No. 84, ADOPTED

Mr. WEINER. Mr. President, I move that the Senate do adopt this resolution?

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to and the resolution was adopted.

The PRESIDENT pro tempore (Anthony J. DiSilvestro) in the Chair.

BILLS SIGNED

The President pro tempore (Anthony J. DiSilvestro) in the presence of the Senate signed the following bills:

SB 86, 219, 239, 306, 309, 317, 318, 417, 629, HB 155, 360, 395, 735, 880, 948, 1186, 1394, 1451 and 1504.

The PRESIDING OFFICER (Joseph D. Ripp) in the Chair.

BILLS ON FIRST READING

Mr. LANE. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. KALMAN. Mr. President, I second the motion.

The motion was agreed to.

The bills were as follows:

SB 695, 758, 769, 806, 830, HB 107, 161, 616, 1083, 1234, 1262, 1263, 1440, 1476 and 1683.

And said bills having been read at length for the first time,

Ordered, to be laid aside for second reading.

ANNOUNCEMENTS BY THE SECRETARY

The following announcements were read by the Secretary of the Senate:

COMMITTEE MEETING—MONDAY, JULY 17, 1961

Eastern Daylight

Saving Time	Committee	Room
11:00 A.M.	JOINT SELECT COMMITTEE ON EDUCATION	245
	DEMOCRATIC CAUCUS	1:00 P.M., D.S.T.
	REPUBLICAN CAUCUS	1:00 P.M., D.S.T.

ADJOURNMENT

Mr. WEINER. Mr. President, I move that the Senate do now adjourn until Monday, July 17, 1961, at 1:30 p.m., Eastern Standard Time.

Mr. KALMAN. Mr. President, I second the motion.

The motion was agreed to,

The Senate adjourned at 11:54 a.m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

WEDNESDAY, July 12, 1961

The House met at 11 a. m., e. s. t.

The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

Gracious Father, as we reflect upon the grandeur which is ours and the heritage we share, we are deeply thankful for the fact that we are a part of the United States of America. However, we are keenly aware that as the mantle of yesterday falls upon each one of us we have the grave responsibility of so building for tomorrow that the glory of this day may ever be preserved. So, we humbly pray for Thy special blessing upon these servants of Thine in the hope that as they legislate they may ever be conscious of the opportunity they face in shaping the destiny of this Keystone State and the people therein: through Christ, our Lord. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Tuesday, July 11, 1961, will be postponed until printed.

The Chair hears none.

BILL INTRODUCED AND REFERRED

By Messrs. ASHTON, UJOBAL, WILLAREDT
and FETTEROLE. HOUSE BILL No. 1827.

An Act authorizing the Department of Property and Supplies, with the approval of the Department of Forests and Waters to lease land in Valley Forge State Park to the United States Post Office Department for the purpose of the construction and operation of a post office.

Referred to the Committee on State Government.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 8.

An Act selecting designating and adopting the Great Dane as the official dog of the Commonwealth of Pennsylvania.

Referred to the Committee on State Government.

SENATE BILL No. 603.

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" providing for payment of contributions to the school employes retirement fund on account of school employes on leave of absence for professional study.

Referred to the Committee on Education.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos. 123, 343, 410, 442, 455, 844, 995, 1038 and 1136.

Commonwealth of Pennsylvania
Governor's Office, Harrisburg
July 12, 1961.

To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 123, printer's No. 123, entitled "An Act amending the act of April 29, 1959 (P. L. 58), entitled 'The Vehicle Code' increasing jurisdiction of aldermen and justices of the peace in civil actions arising from use of vehicles."

DAVID L. LAWRENCE.

July 12, 1961.

To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 343, printer's No. 1020, entitled "An act establishing and regulating the fees to be received and charged by the prothonotary of the courts of common pleas of this Commonwealth in counties of the second class and repealing certain acts."

DAVID L. LAWRENCE.

July 12, 1961.

To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 410, printer's No. 2323, entitled "An Act amending the act of May 4, 1927 (P. L. 519), entitled 'The Borough Code' further providing for the employment of EITHER A CERTIFIED PUBLIC ACCOUNTANT OR a COMPETENT INDEPENDENT public accountant."

DAVID L. LAWRENCE.

July 12, 1961.

To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 442, printer's No. 481, entitled "An Act amending the act of May 13, 1915) (P. L. 286), entitled 'An act to provide for the health safety and welfare of minors by forbidding their employment or work in certain establishments and occupations and under certain specified ages by restricting their hours of labor and regulating certain conditions of their employment by requiring employment certificates for certain minors and prescribing the kinds thereof and the rules for the issuance reissuance filing return and recording of the same by providing that the Industrial Board shall under certain conditions determine and declare whether certain occupations are within the prohibitions of this act requiring that certain minors shall during the period of their employment attend certain schools to be established as therein provided and to be approved by the State Superintendent of Public Instruction and regulating the conditions of such attendance authorizing the State Board of Education in certain cases to appoint attendance officers to aid in enforcing the provisions of this act and creating the salary and expenses of such officers a charge against the school district wherein they are employed requiring certain abstracts and notices to be posted providing for the enforcement of this act by the Commissioner of Labor and Industry the attendance officers of school districts and police officers and defining the procedure in prosecutions thereunder and establishing certain presumptions in relation thereto providing penalties for the violation of the provisions thereof and repealing all acts or parts of acts inconsistent therewith' permitting certain minors to be employed as caddies."

DAVID L. LAWRENCE.

July 12, 1961.

To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 455, printer's No. 1360, entitled "An Act amending the act of September 29, 1951 (P. L. 1646), entitled 'An act authorizing the Commonwealth to negotiate temporary emergency loans to defray current and other expenses of the State government during any fiscal biennium evidenced by tax anticipation notes secured by and payable from current revenues of any current biennium levied assessed collectible and accruing during such fiscal biennium defining the powers and duties of the Governor the Auditor General and the State Treasurer in relation thereto providing for the payment of interest on and the repayment of such loans and making an appropriation' authorizing powers conferred by the act to be done on a fiscal period basis and changing the amount of money which may be borrowed and providing two additional methods of borrowing money."

DAVID L. LAWRENCE.

July 12, 1961.

To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 844, printer's No. 929, entitled "An Act amending the act of July 10, 1957 (P. L. 685), entitled 'An act regulating the use of explosives in certain blasting operations requiring examination and licensing of certain explosives' detonators and prescribing the fee thereof and conferring powers and imposing duties on the Department of Labor and Industry' increasing certain fees."

DAVID L. LAWRENCE.

July 12, 1961.

To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 995, printer's No. 1097, entitled "An Act amending the act of June 24, 1939 (P. L. 872), entitled 'An act to consolidate amend and revise the penal laws of the Commonwealth' by clarifying and redefining the crime of prison breach."

DAVID L. LAWRENCE.

July 12, 1961.

To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 1038, printer's No. 2189, entitled "An Act authorizing the Department of Property and Supplies to sell and convey all THE right title and interest that THE COMMONWEALTH OF PENNSYLVANIA may have in a tract of land in the borough of Canonsburg Washington County Pennsylvania."

DAVID L. LAWRENCE.

July 12, 1961.

To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 1136, printer's No. 1636, entitled "An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 3 acres more or less of land situate in Somerset Township Somerset County."

DAVID L. LAWRENCE.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 456, entitled:

An Act amending the act of May 15, 1933 (P. L. 624), entitled as amended "Banking Code," changing certain provisions with respect to the payment of interest on deposits.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1560, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), redefining year to mean academic year in reference to State scholarships.

And said bill having been read at length the second time and agreed to,
Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1774, entitled:

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333), further providing for the creation of new election districts and fixing the number of registered electors to be contained in election districts not using voting machines.

And said bill having been read at length the second time and agreed to,
Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1818, entitled:

An Act amending the "Unemployment Compensation Law," approved December 5, 1936 (1937 P. L. 2897), modifying certain provisions as to eligibility of individuals while in training or when permanently separated or when separated from a family enterprise.

And said bill having been read at length the second time and agreed to,
Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1822, entitled:

An Act amending "The First Class City Permanent Registration Act," approved March 30, 1937 (P. L. 115), further regulating the distribution of street lists.

And said bill having been read at length the second time and agreed to,
Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 111, entitled:

An Act revising the procedure to be followed in cities of the first class concerning arrest, detention and bail and substituting criminal summons for warrant of arrest in certain criminal cases.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 295, entitled:

An Act fixing the fees of the prothonotaries in counties of the fourth fifth sixth seventh and eighth class fixing the time when they are to be paid and the person liable for payment and imposing powers and duties on the prothonotaries, their deputies and clerks.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 373, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," changing certain salaries and work loads, prescribing extension education areas, decreasing the number of names needed for free extension education, raising the deposit fee and providing for a tuition fee in certain instances, deleting provisions relating to free evening schools and making an appropriation.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMENDED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 573, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," changing limitations on driver-education expenses of the Department of Public Instruction, changing the basis for reimbursement by the Commonwealth on account of standardized driver-training programs and extending provisions relating to driver-education programs to joint school organizations.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMENDED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 576, entitled:

An Act fixing the salary of the register of wills of Philadelphia.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 685, entitled:

An Act amending the act of March 10, 1949 (P. L. 30),

entitled "Public School Code of 1949," further providing for the administration of allocation of unencumbered funds.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 697, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing for reconsideration of decisions in annexation proceedings.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 698, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code," making it illegal to buy, sell, alter or attempt to obtain by fraudulent means a diploma, certificate or similar instrument and providing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 716, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," clarifying and changing provisions relating to social studies curriculum.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 746, entitled:

An Act to regulate the sale and distribution for agricultural purposes of ground limestone, burned and hydrated lime gypsum slag and related products in the Commonwealth of Pennsylvania, conferring powers and imposing duties on the Department of Agriculture, establishing fees, making an appropriation and prescribing penalties.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMENDED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 760, entitled:

An Act amending the act of June 25, 1947 (P. L. 1145), entitled as amended "Local Tax Enabling Law," providing for an official register of earned income tax levies and relieving employers from reporting the earnings and withholding the taxes of their employees with respect to levies

not listed in the register and relieving employers from liability when employes misinform the employers as to their place of residence.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

QUESTION OF PERSONAL PRIVILEGE

The SPEAKER. For what purpose does the gentleman from Northumberland, Mr. O'Donnell, rise?

Mr. J. A. O'DONNELL. I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. J. A. O'DONNELL. Mr. Speaker, in regard to House Resolution No. 86, my name appears on this petition as one of the sponsors. I did not sign this resolution, and the original resolution in the chief clerk's office does not show my name. I would like the record to show that I did not sign this petition.

The SPEAKER. The record will so show.

REPORTS FROM COMMITTEE

Mr. HARTLEY from the Committee on Law and Order, reported as committed, House bill No. 382, entitled:

An Act to repeal section 662, 663 and 730 of "The Penal Code," approved June 24, 1939 (P. L. 872), relating to the imposition of penalties against railroad employes and other persons from certain activities during strikes and against transportation employes for injuries or death resulting from their actions.

Mr. STRAUSSER from the Committee on Law and Order, reported as committed, House bill No. 720, entitled:

An Act amending the "Pennsylvania Fair Employment Practice Act," approved October 27, 1955 (P. L. 744), changing the definitions of employer and age, and clarifying which advertisements by an individual seeking employment constitute unlawful employment practices.

Mr. GALLAGHER from the Committee on Municipal Corporations, reported as committed, Senate bill No. 84, entitled:

An Act amending the act of June 25, 1947 (P. L. 1145), entitled as amended "Local Tax Enabling Law," changing the overall limit of tax revenues for certain taxing districts.

Mr. BLAIR from the Committee on Municipal Corporations, reported as committed, Senate bill No. 112, entitled:

An Act amending the act of May 2, 1945 (P. L. 382), entitled "Municipality Authorities Act of 1945," changing the rights, powers and duties of Authorities heretofore or hereafter created.

Mr. McCANDLESS from the Committee on Agriculture and Dairy Industries, reported as committed, Senate bill No. 747, entitled:

An Act defining milk and its derivatives, prohibiting its adulteration, regulating its labeling, sale and serving, imposing powers and duties on the Department of Agriculture, providing penalties and making repeals.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 382, entitled:

An Act to repeal section 662, 663 and 730 of "The Penal

Code," approved June 24, 1939 (P. L. 872), relating to the imposition of penalties against railroad employes and other persons for certain activities during strikes and against transportation employes for injuries or death resulting from their actions.

And said bill having been read at length the first time, Ordered, to laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 720, entitled:

An Act amending the "Pennsylvania Fair Employment Practice Act," approved October 27, 1955 (P. L. 744), changing the definitions of employer and age, and clarifying which advertisements by an individual seeking employment constitute unlawful employment practices.

And said bill having been read at length the first time, Ordered, to laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 84, entitled:

An Act amending the act of June 25, 1947 (P. L. 1145), entitled as amended "Local Tax Enabling Law" changing the overall limit of tax revenues for certain taxing districts.

And said bill having been read at length the first time, Ordered, to laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 112, entitled:

An Act amending the act of May 2, 1945 (P. L. 382), entitled "Municipality Authorities Act of 1945" changing the rights powers and duties of Authorities heretofore or hereafter created.

And said bill having been read at length the first time, Ordered, to laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 747, entitled:

An Act defining milk and its derivatives prohibiting its adulteration regulating its labeling sale and serving imposing powers and duties on the Department of Agriculture providing penalties and making repeals.

And said bill having been read at length the first time, Ordered, to laid aside for second reading.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. FARABAUGH asked and obtained permission for the Committee on Agriculture and Dairy Industries to meet during the session of the House.

BILL INTRODUCED AND REFERRED

By Messrs. FRASCELLA, PARLANTE, DOUGHERTY and SCARCELLI. HOUSE BILL No. 1828.

An Act amending the "1937 Magistrates' Court Act," approved June 15, 1937 (P. L. 1743), providing for election of the chief magistrate by the board of magistrates.

Referred to the Committee on Cities—Counties First Class.

Mr. HELM IN THE CHAIR.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE CONCURRENT RESOLUTION RECALLING HOUSE BILL No. 828 FROM GOVERNOR

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 12, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House bill No. 828, printer's No. 2185, for the purpose of amendment.

DAVID L. LAWRENCE

The SPEAKER pro tempore. The communication and bill will lie on the Speaker's table.

Mr. McCANN. Mr. Speaker, I call up House bill No. 828, printer's No. 2185.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 828, entitled:

An Act amending the act of May 27, 1949 (P. L. 1903), entitled "The Military Code of 1949," changing the measure of relief for disability or death of personnel on active duty.

On the question recurring,
Shall the bill pass finally?

RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. PETROSKY. Mr. Speaker, I second the motion.

The SPEAKER pro tempore. How did the gentleman from Greene, Mr. McCann, vote on the final passage of this bill?

Mr. McCANN. Mr. Speaker, I voted with the prevailing side.

The SPEAKER pro tempore. How did the gentleman from Westmoreland, Mr. Petrosky, vote on the final passage of this bill?

Mr. PETROSKY. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. McCANN asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Section 1, (Section 844), page 2, line 10, by striking out brackets before "just" and after "of"

Amend Section 1, (Section 844), page 3, line 1, by striking out the bracket before "to"

Amend Section 1, (Section 844), page 3, lines 2 and 3, by striking out "I equivalent to that provided under" in line 2 and all of line 3

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 754.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), including the Oil and Gas Conservation Commission as a departmental administrative commission in the Department of Mines and Mineral Industries.

HOUSE BILL No. 755.

An Act defining and prohibiting waste in the production of oil and gas defining the powers and duties of the Oil and Gas Conservation Commission and the Oil and Gas Division of the Department of Mines and Mineral Industries with respect to the prevention of waste in the production of oil and gas from certain geological horizons * * * imposing penalties and making an appropriation.

HOUSE BILL No. 1284.

An Act amending the act of May 4, 1927 (P. L. 519), entitled "The Borough Code," authorizing ordinances and certain resolutions to be in force after attachment to the borough ordinance books and validating certain borough records.

HOUSE BILL No. 1331.

An Act authorizing the Department of Highways with the approval of the Governor to construct a highway and to erect and maintain a bridge over the Schuylkill River in Montgomery County.

HOUSE BILL No. 1533.

An Act to protect the public of the Commonwealth against vendors who misleadingly present their products as having been made by the blind and to prevent misleading use of the word blind in titles of organizations offering products for sale and providing penalties.

SENATE BILL No. 86.

An Act reenacting and amending the act of May 21, 1943 (P. L. 340), entitled as amended "An act empowering municipality authorities cities of the third class boroughs incorporated towns and townships adjoining each other to cooperate with each other through joint agreements in the exercise of their governmental powers duties and functions," extending the act to counties of the third fourth fifth sixth seventh and eighth classes further regulating joint purchases and the supply and exchange of certain services and functions and providing for the appointment of optional joint advisory boards and prescribing their powers and duties.

SENATE BILL No. 219.

An Act amending the act of June 19, 1931 (P. L. 589), entitled as amended "Barbers' License Law," altering the requirements for licensure regulating hours for barber schools permitting further regulation by health authorities providing for the health sanitation and management of barber shops changing fees prescribing penalties requiring reports and making an appropriation.

SENATE BILL No. 239.

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code," authorizing the closing of court houses and other county offices on Saturdays in counties of the third class.

SENATE BILL No. 306.

An Act amending the act of July 8, 1957 (P. L. 579), entitled "An act establishing minimum compensation and increments for members of the faculty and administration of the Thaddeus Stevens Trade School and imposing duties on the Board of Trustees of such school and the Superintendent of Public Instruction," changing the salaries and increments of teachers and supervisors and providing for payment on a monthly basis.

SENATE BILL No. 309.

An Act amending the act of May 17, 1921 (P. L. 682), entitled "The Insurance Company Law of 1921," providing for the merger or consolidation of domestic and foreign life insurance companies.

SENATE BILL No. 317.

An Act amending the act of April 12, 1951 (P. L. 90), entitled "Liquor Code," prohibiting the refilling of any liquor bottle or other liquor container.

SENATE BILL No. 318.

An Act amending the act of April 12, 1951 (P. L. 90), entitled "Liquor Code," further regulating license fees and default in the payment of such fees.

SENATE BILL No. 417.

An Act amending the act of May 23, 1949 (P. L. 1669), entitled as amended "An act to provide revenue for school districts of the first class by imposing a tax on persons engaging in certain businesses professions occupations trades vocations and commercial activities therein . . ." establishing an alternative appeal procedure in certain cases.

SENATE BILL No. 629.

An Act amending the act of May 17, 1956 (P. L. 1609), entitled "Pennsylvania Industrial Development Authority Act," empowering the Authority to purchase first mortgages and to make payments on first mortgages on industrial development projects where necessary to protect loans made by the Authority on industrial development projects and increasing the amount the Authority can contract to loan and decreasing the amount that must be provided by industrial development agencies in the financing of industrial development projects, and removing the limitation as to the amount of Authority loans on industrial development projects where Federal agencies participate in the financing of such projects.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 670, entitled:

A Supplement to "The Pennsylvania Workmen's Compensation Act," approved June 2, 1915 (P. L. 736), providing for the payment of compensation to special school police appointed by boroughs or the dependents of such special school police.

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. CAPANO asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Sec. 1, page 2, lines 11 and 12, by striking out "WHILE GOING TO OR RETURNING FROM THEIR PLACE OF DUTY OR"

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1343, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), further regulating the imposition of penalties for operation of vehicles upon highways with tires which do not conform with requirements of the act.

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. McCANN asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Sec. 1 (Sec. 841), page 2, line 18; page 3, lines 1 to 3, by striking out all of said lines.

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended.

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 180, entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code," authorizing occupation taxes to be abolished and per capita taxes to be levied and collected and limiting the levy and collection of certain taxes.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—141

Adams,	Gelfand,	Lee, A. M.,	Price,
Anderson, J. H.,	George,	Leonard,	Pursley,
Anderson, S. A.,	Gibb,	Limper,	Reibman,
Arlene,	Gibbons,	Long, Wm. Jas.,	Renwick,
Backenstoe,	Goldstein, M. H.,	Lutty,	Riley,
Blair,	Goodrich,	Magee,	Rubin,
Boles,	Gramlich,	Markley,	Rutherford,
Bossert,	Gray,	Marsh,	Sakulsky,
Bower,	Greenlee,	Maxwell,	Scarcelli,
Bowman,	Gremminger,	May,	Schaaf,
Branca,	Guthrie,	McCandless,	Schuster,
Buchanan,	Hamilton,	McCann,	Shelton,
Bush,	Hankins,	McCormack,	Sherman,
Capitolo,	Hartley,	McDevitt,	Simmons,
Cauley,	Haudenschild,	McDonald,	Snare,
Cianfrani,	Heffner,	McKeever,	Stank,
Cioffi,	Helm,	McLaughlin,	Steckel,
Comer,	Heavey,	McNally,	Stimmel,
Cooley,	Hocker,	Meholchick,	Stone,
Davis,	Holliday,	Mills,	Strausser,
Dennison,	Holman,	Monroe,	Sullivan, J. A.,
Donaldson,	Irviss,	Morley,	Taylor,
Dougherty,	Jim,	Mullen,	Thompson,
Doughten,	Kamyk,	Musto,	Trusio,
Down,	Kelser,	O'Dell,	Varner,
Ellberg,	Kelly,	O'Donnell, J. P.,	Verona,
Elvey,	Kernaghan,	O'Dorisio,	Weldner,
Eshback,	Kessler,	Ogilvie,	Welsh,
Esler,	King,	Parlante,	Whittaker,
Ewing,	Klein,	Pashley,	Williams, A. D.,
Farabaugh,	Kooker,	Petrosky,	Wilt,
Filo,	Kornick,	Piper,	Worley,
Foor,	Kramer,	Polaski,	Zember,
Frascella,	Lamb,	Polen,	Zimmerman,
Fry,	Lawson,	Prendergast,	Andrews,
Gallagher,			Speaker

NAYS—56

Ashton,	Goldstein, J. H.,	Manbeck,	Slack,
Auker,	Guesman,	McInroy,	Stiteler,
Bachman,	Henzel,	Merry,	Sullivan, T. F.,
Bonner,	Holl,	Miller,	Tomasick,
Capano,	Horst,	Munley,	Tompkins,
Crossin,	Isaacs,	Murphy,	Ujobal,
Dengler,	Jenkins,	Murray,	Wall,
Edwards,	Johnson, A. W.,	Needham,	Walsh,
Fetterolf,	Johnson, R. P.,	O'Donnell, J. A.,	Wargo,
Flynn,	Jones,	Perry,	Willard,
Foerster,	Knecht,	Reidenbach,	Willaredt,
Fox,	Korns,	Rovansek,	Wood,
Fulmer,	Lippincott,	Seltzer,	Wynd,
Galley,	Long, Wm. Jos.,	Shupnik,	Yetter,

NOT VOTING—13

Breth,	Fineman,	Lee, K. B.,	Rudisill,
Clarke,	Gross,	Mihm,	Wescott,
Curwood,	Kistler,	Royer,	Williams, E. S.,
Eshleman,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Tompkins for Mr. ESHLEMAN for today to attend funeral.

The SPEAKER pro tempore. The Speaker of the House desires to address the House at this stage in our proceedings and will address the House from the Chair.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR.

ADDRESS BY THE SPEAKER

The SPEAKER. The Chair desires to commit a major project into the keeping of the members of this House, none other than the rehabilitation, rejuvenation and modernization of our committee-room setup.

I presume that every member of this House has visited the quarters in which the House Appropriations Committee functions. We will not comment upon the esthetic qualities of that particular setup, but simply the allocation of floor space. The chairman of that committee has a year-around private office and year-around secretarial help; and there is an ante-room for the greeting of visitors. Then there is another room large enough for committee hearings, large enough for committee meetings, a place where the members of the committee have a habitation and a home, a place where there could be compiled statistics for the use of the members of that committee, a special library dealing with matters that come before the committee.

There are other major committees that should be served in similar fashion. Every chairman of every major committee should have a private office, year-around. He should have a year-around secretarial staff, and there should be at the disposal of his committee as much space for use of the committee and for committee hearings as one committee now enjoys.

We have all been impressed with the functioning of the Appropriations Committee. It has done a creditable job. It has the facilities with which to work.

Our Ways and Means Committee should have similar quarters and a technical staff. We are facing a difficult future. Where are we going to develop our fiscal plans? Are we going to have a committee that has the room and the facilities with which to function and which can consider fully the fiscal suggestions emanating from executive quarters?

Do we want to have a functioning Ways and Means Committee or abolish it? Because if fiscal plans come to us ready-made, untouched by the Ways and Means Committee, we might just as well have one member on the Ways and Means Committee to simply transmit executive suggestions.

Now let us consider our Education Committee. A group of very able people adequately staffed spent a year collaborating on an educational program for the State—one year. And we meet and we expect the Committee on

Education to function properly, not armed with a technical staff. I doubt if it has adequate stenographic assistance; I doubt if it has adequate room in which to operate; I doubt if it has adequate facilities in which to hear the people who may have pertinent suggestions to make. One of the mistakes, I think, that we have made is that we have not in recent sessions afforded the facilities for public expression of views. We have passed many a bill that, had its weaknesses been revealed at public hearings, the bill would not have passed.

Now, let us consider our State Government Committee to which we have sent scores and scores of bills. The Chair confesses he is unacquainted with the facilities at the disposal of the chairman of the Ways and Means Committee—but if any committee of the House needs an adequate staff and adequate room in which to operate it is that committee.

Now the chairman of a major committee should have such a staff that, when the legislature meets Monday, Tuesday, Wednesday and Thursday, it would be on the job continually; then he would have a staff to which he could commit the accumulation of bills and he could return to his place of residence and devote a couple of days to his private business and come back the next Monday and his staff would have laid out the work that should be done. Then these major committees would have in their committee rooms a digest of every bill before the committee and they would have an accumulation of pro and con literature of which the members receive quantities, but I doubt if they can find it in any one particular place.

That is why I have proposed in all seriousness that at the termination of this particular session we organize a number of groups. I am suggesting two members of this House plus a newspaper man, if he can get leave of absence, and we can send one group to Albany and we will find out the facilities that the members of the General Assembly at Albany have as individuals, conference rooms where they can meet their constituents, restaurant accommodations exceeding ours, and functioning offices for every committee chairman. I say that as far as our committee setup is concerned, we are back in the horse and buggy days and we think we are away out in the lead.

Then we can send somebody to Columbus, Ohio, we can send somebody to Springfield. Now it so happens, like the rest of you, I have received those expense checks and I do not need them, fortunately, and which I have laid aside. I have already accumulated \$2,000 carefully in the bank and if the checks keep coming, I will have \$3,000. I think we have made a working arrangement with the Joint State Government Commission so it will join us in financing these expeditions of discovery, and you will find that in many, many places the members of the respective Houses are given considerations that we have not been afforded in Pennsylvania. In some States, of course, it is different. We are away ahead of North Carolina and South Carolina, but in the facilities for members we are not up to Louisiana. We are a mile behind Texas, and they have a better setup for the members in Topeka, and I know they have in New York.

These expeditions will go out and study the schedule of compensation from all sources; they will study the facilities afforded to the members; they will study the privileges accorded to members; and they will study the

setup of the members in relation to the General Assembly, the departments of the State government and the executive.

Now, as a result of the work that should be done, we would then be in a position to select various groups. We will have a House and Senate study group, a group to study space allocation. There has been made under the direction of the executive a space study. Now a space study should be followed with some idea as to space allocation. So far it happens that this particular committee that has been labeled the "Watch Dog Committee" is not functioning. It has not been able to find office space.

Now we know that a few years ago there were a lot of bureaus that were scattered around town. They have been brought up on Capitol Hill. Temporarily they could be scattered back downtown and facilities made available for the members of this House.

Now I want you to understand my position; we do not want to demand of the Executive, we do not want to get on our knees to the Executive, but we want to be able to go in and talk to the gentleman on an equal-equal basis, not as petitioners, not as an arrogant branch of the State government, but as equals. We cannot do that now; we just cannot do that.

Now I had hoped some years ago that we would be further along with these things than we are now, and I would like to see you all get busy; I would like to see the thing brought to a head. I would like to see you slowly evolve a space-utilization plan. It is not my expectation to be in the House at the next session, and I would very much like, before I bow out of the legislative scene, to see that this House provides itself with adequate quarters.

Just take your floor leaders. Our Democratic floor leader works in a cubby hole. We are crowded and we are understaffed.

When we were in the minority I saw to it that the minority leader, as far as floor space was concerned, was pretty well situated, so darned well situated that when I became Speaker I did not want to move down, but the caucus had a different mind. And I also very thoughtfully provided for the former speaker a nice office for him—I might have landed there myself.

You are placing unbearable burdens upon your floor leaders and upon your committee chairmen and it just is not within the strength of these men to bear the burdens that they have to bear under the circumstances in which they find themselves.

And so, ladies and gentlemen of the House, I commit these matters into your keeping. I have felt sometimes that you are a bit lethargic, that you maybe, for some reason or other, did not want to live up to your opportunities, but if we are to have increasingly sound government—after all, gentlemen, you will not find the ultimate protection of the people in local political organizations; you will not find the ultimate protection of the people in departments; you will not find the ultimate protection of the people in executives; you will find the ultimate protection of the people in forums such as this.

I implore you to prepare, be ready, to take advantage of the great opportunities that constantly confront Pennsylvania's legislature and equip yourselves for effective action.

Mr. HELM IN THE CHAIR.

The SPEAKER pro tempore. The Chair would like to say that the Speaker has made a stirring address about a problem that I am sure faces this legislature as well as many others. I have called to the attention of the Chair a listing of the appropriations made by the 1961 session of the New York State Legislature. I will not worry you with the figures, but I would like to give you the total of the appropriations that have been assigned by the New York Legislature for the year 1961 to their committee study and you will be amazed to find that grand total is over \$3,903,000 for the use of their respective committees. Yet on one item alone, one that is facing this legislature today, study of reapportionment, the joint committee of the New York State Legislature has been appropriated the grand sum of \$239,764. We are trying to do the job in Pennsylvania with our standing committees without any proper financing. I think this particular list of appropriations should be prepared, Mr. Polen, by your committee and be given to every member of this legislature.

The Chair recognizes the gentleman from Westmoreland, Mr. Maxwell.

Mr. MAXWELL. Mr. Speaker, I think that our present Speaker, Mr. Andrews, has done more to upgrade this legislature, he has done more for each and every member of this House, than all the Speakers combined.

The SPEAKER pro tempore. The Chair would like to say that he is sure the gentleman from Cambria has not performed this task for any great glory or praise, but purely and simply for his love for the legislature and I am sure the Speaker would very much appreciate the gentleman not making such a speech from the floor.

Mr. MAXWELL. You do not want me to continue, Mr. Speaker?

The SPEAKER pro tempore. At the wish of the Speaker of the House, I am requesting that he do not.

Mr. MAXWELL. May I say one more word?

The SPEAKER pro tempore. The gentleman will proceed.

Mr. MAXWELL. I was only going to suggest that in recognition of his efforts this House give him a rising vote of thanks. That was all.

The SPEAKER pro tempore. The Chair thinks that would be in order.

(A rising vote ensued)

The SPEAKER pro tempore. Does the gentleman from Washington desire to be recognized?

Mr. POLEN. Mr. Speaker, was it my understanding that you would like prepared for the membership a copy of the information that I prepared for the Speaker?

The SPEAKER pro tempore. The present occupant of the Chair thinks it would be a very valuable thing for all the members of the House and the press to receive a copy.

Mr. POLEN. I shall be glad to do so, Mr. Speaker.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 181, entitled:

An Act amending the act of June 24, 1937 (P. L. 2017), entitled "County Institution District Law," authorizing the assessment and collection of annual per capita taxes on individuals, limiting the levy and collection of such

taxes and taxes on trades, occupations and professions to be abolished.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—133

Adams,	Gibb,	Lawson,	Polen,
Anderson, J. H.,	Gibbons,	Lee, A. M.,	Prendergast,
Anderson, S. A.,	Goldstein, J. H.,	Leonard,	Price,
Arlene,	Goldstein, M. H.,	Limper,	Pursley,
Backenstoe,	Goodrich,	Long, Wm. Jas.,	Reibman,
Blair,	Gray,	Lutty,	Renwick,
Bossert,	Greenlee,	Magee,	Riley,
Bower,	Gremminger,	Markley,	Rubin,
Bowman,	Gross,	Marsh,	Rudisill,
Branca,	Guthrie,	Maxwell,	Sakulsky,
Buchanan,	Hamilton,	May,	Scarcelli,
Bush,	Hankins,	McCann,	Schaaf,
Capitolo,	Hartley,	McCandless,	Shelton,
Cauley,	Haudenshield,	McCormack,	Sherman,
Cianfrani,	Heffner,	McDevitt,	Simmons,
Cloffi,	Helm,	McDonald,	Snare,
Clarke,	Hocker,	McKeever,	Stank,
Comer,	Holman,	McLaughlin,	Steckel,
Cooley,	Irvis,	McNally,	Stimmel,
Davis,	Jim,	Meholchick,	Strusser,
Dennison,	Jones,	Mills,	Sullivan, J. A.,
Donaldson,	Kamyk,	Monroe,	Thompson,
Dougherty,	Kelser,	Morley,	Tomascik,
Doughten,	Kelly,	Mullen,	Trusio,
Eilberg,	Kessler,	Musto,	Varner,
Esler,	King,	O'Dell,	Verona,
Ewing,	Kistler,	O'Donnell, J. P.,	Weidner,
Filo,	Klein,	Ogilvie,	Whittaker,
Foor,	Knecht,	Parlante,	Williams, A. D.,
Frascella,	Kooker,	Pashley,	Wilt,
Fry,	Kornick,	Petrofsky,	Worley,
Gallagher,	Kramer,	Piper,	Zember,
Gelfand,	Lamb,	Polaski,	Zimmerman,
George,			

NAYS—62

Ashton,	Galley,	McInroy,	Slack,
Auker,	Gramlich,	Merry,	Stiteler,
Bachman,	Guesman,	Miller,	Sullivan, T. F.,
Bonner,	Henzel,	Munley,	Taylor,
Capano,	Holl,	Murphy,	Tompkins,
Crossin,	Holliday,	Murray,	Ujobal,
Dengler,	Isaacs,	Needham,	Walsh,
Down,	Jenkins,	O'Donnell, J. A.,	Wargo,
Edwards,	Johnson, A. W.,	Odorisio,	Welsh,
Elvey,	Johnson, R. P.,	Perry,	Willard,
Eshback,	Kernaghan,	Reidenbach,	Willaredt,
Petterolf,	Korns,	Rovansek,	Williams, E. S.,
Flynn,	Lee, K. B.,	Rutherford,	Wood,
Foerster,	Lippincott,	Seltzer,	Wynd,
Fox,	Long, Wm. Jos.,	Shupnik,	Yetter,
Fulmer,	Manbeck,		

NOT VOTING—15

Boles,	Farabaugh,	Mihm,	Wall,
Breth,	Fineman,	Royer,	Wescott,
Curwood,	Heavey,	Schuster,	Andrews,
Eshleman,	Horst,	Stone,	Speaker

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with the information that the House of Representatives has passed the same without amendment.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 191, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," including additional buses within the provisions relating to school buses, further providing for the operation of school buses and lights located thereon and providing penalties.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Crawford, Mr. Merry.

Mr. MERRY. Mr. Speaker, I want to talk against Senate bill 191.

I do not like to belabor the House with too much talk, and yet I do not know how to get the point over without explaining the thing fully.

This bill would upset the school-bus business both for the contractors and the schools more than anyone in this House realizes who would look at the bill on his desk. When I first saw the bill, it was drawn to my attention by one of the members of the Motor Vehicle Committee, and he wondered what I thought about it. I did not discover myself how far-reaching the things in this bill would be.

To start in with the first part of the bill, if you want to follow me through on it, the first thing it starts to change is to eliminate the grandfather clause on the four lights that we agreed to put on in 1959. The reason we agreed to put them on at that time was because the manufacturers were furnishing the buses with alternating lights on both front and rear, and the school boards and contractors, according to our law at that time, had to remove one of the front lights and one of the rear lights, in order to get it past the school-bus inspection.

Four years ago we passed an adequate law for one real bright, flashing light on the front and on the rear of the bus, and we thought we had the job well done, we had a good light and it could be seen. The only reason we changed it in 1959 was on account of the fact that they came in that way.

This bill seeks to eliminate the grandfather clause in there. It says that all of the old buses will have to be rewired and the four lights put on all of the old ones, not just the new ones that come from the factory. As near as we can figure, that would cost \$100 per bus. I own a few buses and I could stand the small amount for those that I own, but there are 8,000, or more, school buses in the State. Probably a little over half of them belong to school districts. That would mean, at the very least, one-half million dollars. That is a sizeable reason right there for turning down this legislation. To go further in the bill, we would have to reroute all of the school routes that run along four-lane highways, because this bill says that you cannot pick up a child who would have to cross a four-lane highway. I think the school boards would have a lot of fun with that one.

Then we go further on in this bill. We say that all of the common carriers who are trying to make a living and get an extra school route during the day would have to put on all of this lighting system. Up until now they have had a good safety record. Now we want them to spend \$125 on each bus and put these lights on them in order to run at maybe 3 o'clock in the afternoon where they

are hauling school children exclusively. Is that being fair to our common carrier buses?

Again, according to this bill, they could not discharge a passenger only where there is a curb or a sidewalk. If they had another child on who went beyond a curb or a sidewalk it would be illegal for them to discharge that passenger.

To go further into the bill, they bracket out the place in the bill where we would pass the bus at 15 miles an hour, they take that all out, and say that you can pass a bus that is unloading children in an unloading zone at 25 miles an hour. I do not think I want to see that done.

Then they go on to say that the school-bus driver must put on his flashing lights 200 to 250 feet before he stops to pick up the school children. These lights ordinarily go on when you open the door, so is he going to crack the door or is he going to reach over to the side of the bus and push the switch and hold onto that for 200 or 250 feet before he stops? Why is it necessary, at least on a two-lane road, when he flashes his bright lights? People can see a great big school bus, and they certainly know what he is out on the road to do. He could be fined \$25 if he is not a good enough judge of 200 to 250 feet. In that area he must light these lights on the back of the bus. Are we going to get too many school-bus drivers who would want to take a job like that where they are letting themselves liable for a \$25 fine?

Then, there is also this in the bill—this is really a good one—if the school-bus driver forgets to turn on his flashing lights, you may pass that bus at 25 miles an hour. Certainly, we do not want anything like that. If the fuse would blow out, or something like that would happen to his lights, between the time he leaves the garage and gets to the school house, you could go right by the bus with him letting children out, at 25 miles an hour.

I do not know whether I have mentioned enough things, or not, for which we should vote this bill down.

But you make the driver responsible again, he must not turn on his red flashing lights if he happens to be driving past a place where there is a curb or a sidewalk. That is bad.

I do not think we want this kind of legislation on the books. I do not feel capable of drawing enough amendments to make it palatable. I ask everyone in this House, on both sides, to vote this bill down. Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from York, Mr. Gailey.

Mr. GAILEY. Mr. Speaker, it seems to me that the gentleman who has just previously spoken is unduly concerned with school-bus drivers. Certainly this House does not wish to put unfair burdens upon them. However, I would suggest that a close reading of this bill will reveal to the membership of this House that this in fact is not the case. I would venture to say that there were very few members of this House, who knew, prior to the introduction of this legislation—I know I did not—that as of the present time the flashing red lights, which we all have seen and recognized on school buses, need be seen only for a distance of 100 feet. Now, that is less than the length of this chamber, ladies and gentleman. And that is all that they are required to do under present law, as I read this bill. Their flashing red light must be visible for 100 feet.

Now, I ask you whether this is a reasonable warning, particularly, at dusk, in early morning and in times of inclement weather? I suggest that this is not so under the provisions of the bill. We have flashing red lights over here to my right, I think they are lighting flares.

The provisions in this bill that call for 500 feet visibility are entirely proper and consistent with the House's desire to protect the children who ride on these buses.

This is not a voluntary system, granted the parents can take the children to school in cars, but because of our widespread bus transportation system, I think it is incumbent upon this House to do all that we can to insure the safety of those children who ride on these buses.

I think, also, that the section the gentleman referred to, prohibiting the stopping and discharging of passengers, children, on four-lane highways, unless there are streets, unless there are curbs and sidewalks, is eminently reasonable also. We are all familiar with the high speed highways that we have and we are all familiar with the dangers attendant to crossing them. I think it entirely reasonable that, since we require the children to ride these buses because of our method that we now have of distribution of schools and transporting them to and from these schools, we do everything consistent, that is reasonably consistent, to see that these children's lives are safeguarded.

I suggest that if routes may be laid out which force children to cross four-lane highways, expressways, that this is not good and that this legislature should, in fact, pass this particular bill we have before us, to prohibit this.

Finally, Mr. Speaker, I would point out to the members that the other sections of the bill, which the gentleman referred to concerning the passing of the school bus, are not inconsistent with present law.

The person who offers himself for employment as a school-bus driver must accept the duties that are pressed upon him. No one has to bid for school-bus contracts. Certainly any expense to which he may be put may well be taken care of in his negotiated contract with the school board, for I think the members are well aware that this act does not take effect until August 1st of next year, not this year, but next year. So any additional cost, any additional expense, may be well taken care of by the individual operators when they negotiate their contracts with the school board for transportation.

I suggest to you that unless you have a penal section in here making the bus drivers subject to a fine if they fail to comply with provisions of the act, then the act is worthless. There is a duty on these people to drive their buses properly. But if we do not put a penalty in, so that if they breach this duty there is some penalty attached, what is the point in having the law in the first place?

I suggest to the members of this House that this is reasonable legislation. It is legislation in the interest of the people of this Commonwealth, and I ask members on both sides of the aisle to vote for it.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Dauphin, Mr. Hocker.

Mr. HOCKER. Mr. Speaker, I would like to interrogate the gentleman, Mr. Gailey, if I may, please?

The SPEAKER pro tempore. Will the gentleman from York, Mr. Gailey, permit himself to be interrogated?

Mr. GAILEY. I shall, Mr. Speaker.

Mr. HOCKER. Mr. Speaker, part of the gentleman's thinking I am in accord with. However, on page 4, line 11, where it says "a school bus operator when operating on a highway with four (4) or more travelable lanes shall not stop to pick up or discharge pupils who must cross the highway." Now, how would you get those pupils to school?

Mr. GAILEY. Mr. Speaker, I would assume that there are two sides to every highway and that there are methods of crossing over the highway, either with a cross-over or at intersections. Obviously, if present routes are laid out so that people must cross highways, then under this legislation these routes would have to be revamped. I would suggest, Mr. Speaker, however, that this is not impossible of attainment and, while it may lengthen the route in some occasions, the added safety feature, that these children will not have to cross these highways, far outweighs any temporary inconvenience which may result in the districts or the school-bus drivers in revamping their route.

Mr. HOCKER. Mr. Speaker, I would ask the gentleman whether or not he thinks it would be more dangerous. A part of 22 goes through my district. Does the gentleman think it would be more dangerous for those pupils to cross that highway, or whether it would be more dangerous for that bus to be making U-turns on that highly traveled, 60-mile-an-hour road to pick up pupils?

Mr. GAILEY. Mr. Speaker, I do not see anything that would force a bus driver to make a U-turn on these routes. If we are thinking of four-lane, divided highways obviously he would have to change over at an intersection, but I would suggest, Mr. Speaker, that he both goes to and comes from the school. During one of these courses, he must be passing on one side of the highway or the other. I do not think that unreasonable at all.

Mr. HOCKER. I thank the gentleman, Mr. Speaker.

Mr. Speaker, I do not think that any of us will be criticized for voting against the safety of children when we by legislation are going to force these buses to be making turns such as I have spoken about on these highly-traveled, fast-traveled, 60-mile-an-hour zones. I am afraid of what might happen if that bus would be forced to make a U-turn on that highway to pick up pupils. Therefore, I will have to vote against the bill, Mr. Speaker.

Mr. GOODRICH. Mr. Speaker, I would like to further inform the House concerning some of the statements made by the gentleman from York, Mr. Gailey.

The bill does change the requirement in the law to require lights to be visible for a distance of 500 feet, but at the present time there are no lights on school buses in Pennsylvania that do not meet that requirement. In 1959 the Secretary of Revenue, by authorization, required certain standards for lighting equipment. One was that the lights would be visible as per this particular bill. This bill will not change that provision or regulation in fact. It will change it in the law.

The second is that this is the first time I have heard anyone suggest that this is a safety bill. I spent a week on this bill with the bureau of highway safety. They agree that the bus drivers do an excellent job as far as safety is concerned. They do not say this is a safety bill because it is a matter of uniformity. I can understand the bureaucratic point of view—that uniformity for the sake of uniformity is necessary or desirable—but the fact is, we have present law which would, in the end, in a matter of seven

or eight years, not to exceed that, provide for a uniformity of lighting on all buses except those under public utility regulations and some one under public utility regulations.

The gentleman from York is partially correct, the cost that will result from the passage of this bill will be about \$500,000. I happen to be a school-bus operator myself. I pass it on to the school board. It will not harm me, personally, but it will harm the school districts of Pennsylvania, the rural districts, at the rate of about \$500,000. It serves no purpose except for uniformity. I would request anyone who has any figures, any statistics, providing that it is a matter of necessity for safety to show them. You can check with the highway safety bureau and they will say there have been no accidents for one year, two years, or three years.

Proposing this as a highway safety bill is ridiculous. The bureau itself says it is a matter of uniformity, which, too, is ridiculous. I would ask the members of the House to oppose the bill.

Mr. MERRY. Mr. Speaker, I did ask for recognition, but Mr. Goodrich explained what I intended to about the lights. We presently are using lights that are visible for upwards of 1,000 feet and we are not worrying about that part of the bill. There are so many other things in the bill that are detriments and are going backwards, like increasing the speed at which you can pass a buss if the lights of the bus are not working, and things like that. I think it is a very dangerous bill.

Please, please, vote this bill down.

On the question recurring,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—57

Anderson, S. A.,	Galley,	Limper,	Perry,
Arlene,	Gelfand,	Lutty,	Petrosky,
Bachman,	Goldstein, M. H.,	Maxwell,	Riley,
Branca,	Gray,	McCann,	Rubin,
Cauley,	Greenlee,	McCormack,	Sakulsky,
Cianfrani,	Gremmlinger,	McKeever,	Scarcelli,
Clarke,	Hankins,	McLaughlin,	Schuster,
Comer,	Hartley,	Mills,	Shelton,
Crossin,	Irvs,	Monroe,	Sherman,
Dougherty,	Jones,	Mullen,	Stank,
Doughten,	Kelly,	Murphy,	Sullivan, J. A.,
Eilberg,	Kramer,	O'Donnell, J. P.,	Taylor,
Filo,	Lawson,	Parlante,	Welsh,
Fineman,	Leonard,	Pashley,	Yetter,
Foerster,			

NAYS—146

Adams,	Goodrich,	Long, Wm. Jos.,	Schaaf,
Anderson, J. H.,	Gramlich,	Magee,	Seltzer,
Ashton,	Gross,	Manbeck,	Shupnik,
Auker,	Guesman,	Markley,	Simmons,
Backenstoe,	Guthrie,	Marsh,	Slack,
Blair,	Hamilton,	May,	Snare,
Bonner,	Haudenshield,	McCandless,	Steckel,
Bossert,	Heavey,	McDevitt,	Stimmel,
Bower,	Heffner,	McDonald,	Stiteler,
Bowman,	Helm,	McInroy,	Stone,
Buchanan,	Henzel,	McNally,	Strausser,
Bush,	Hocker,	Meholchick,	Sullivan, T. F.,
Capano,	Holl,	Merry,	Thompson,
Cooley,	Holliday,	Miller,	Tomascik,
Davis,	Holman,	Morley,	Tompkins,
Dengler,	Horst,	Munley,	Trusio,
Dennison,	Isaacs,	Murray,	Ujobai,
Donaldson,	Jenkins,	Musto,	Varnar,
Down,	Jim,	Needham,	Verona,
Edwards,	Johnson, A. W.,	O'Dell,	Walsh,
Elvey,	Johnson, R. P.,	O'Donnell, J. A.,	Wargo,
Eshback,	Kamyk,	Odorisio,	

Esler,	Keiser,
Ewing,	Kernaghan,
Farabaugh,	Kessler,
Fetterolf,	King,
Flynn,	Kistler,
Foor,	Klein,
Fox,	Knecht,
Frascella,	Kooker,
Fry,	Kornick,
Fulmer,	Korns,
Gallagher,	Lamb,
George,	Lee, A. M.,
Gibb,	Lee, K. B.,
Gibbons,	Lippincott,
Goldstein, J. H.,	Long, Wm. Jas.,

Ogilvie,
Piper,
Polaski,
Polen,
Prendergast,
Price,
Pursley,
Reibman,
Reidenbach,
Renwick,
Rovansek,
Royer,
Rudisill,
Rutherford,

Weldner,
Wescott,
Whittaker,
Willard,
Willaredt,
Williams, A. D.,
Williams, E. S.,
Wilt,
Wood,
Worley,
Wynd,
Zember,
Zimmerman,
Andrews,
Speaker

NOT VOTING—7

Boles,	Capitolo,	Curwood,	Mihm,
Breth,	Cioffi,	Eshleman,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 197, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing for special and summer classes for children of migrant laborers requiring the filing of certain reports and making an appropriation.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—167

Anderson, J. H.,	Gibb,	Lippincott,	Renwick,
Anderson, S. A.,	Gibbons,	Long, Wm. Jas.,	Riley,
Arlene,	Goldstein, J. H.,	Long, Wm. Jos.,	Rovansek,
Auker,	Goldstein, M. H.,	Lutty,	Royer,
Bachman,	Goodrich,	Manbeck,	Rubin,
Backenstoe,	Gray,	Markley,	Rudisill,
Boles,	Greenlee,	Marsh,	Sakulsky,
Bonner,	Gremmlinger,	Maxwell,	Scarcelli,
Bossert,	Guesman,	May,	Schaaf,
Bower,	Hamilton,	McCandless,	Schuster,
Branca,	Hankins,	McCann,	Seltzer,
Buchanan,	Hartley,	McCormack,	Shelton,
Bush,	Haudenshield,	McDevitt,	Sherman,
Capano,	Heavey,	McDonald,	Shupnik,
Capitolo,	Heffner,	McInroy,	Simmons,
Cauley,	Henzel,	McKeever,	Snare,
Cianfrani,	Holliday,	McLaughlin,	Stank,
Cioffi,	Holman,	McNally,	Steckel,
Clarke,	Horst,	Meholchick,	Stimmel,
Comer,	Irvs,	Miller,	Stone,
Cooley,	Isaacs,	Mills,	Sullivan, J. A.,
Crossin,	Jenkins,	Monroe,	Sullivan, T. F.,
Dengler,	Jim,	Morley,	Taylor,
Donaldson,	Johnson, A. W.,	Mullen,	Thompson,
Dougherty,	Johnson, R. P.,	Munley,	Tomascik,
Doughten,	Jones,	Murphy,	Tompkins,
Down,	Kamyk,	Musto,	Trusio,
Eilberg,	Kelly,	Needham,	Varnar,
Esler,	Kernaghan,	O'Donnell, J. A.,	Verona,
Ewing,	Kessler,	O'Donnell, J. P.,	Walsh,
Farabaugh,	King,	Odorisio,	Wargo,
Filo,	Kistler,	Parlante,	Welsh,
Fineman,	Klein,	Pashley,	Wescott,
Flynn,	Kooker,	Perry,	Whittaker,
Foerster,	Kornick,	Petrosky,	Willard,
Foor,	Kramer,	Piper,	Williams, A. D.,
Fox,	Lamb,	Polaski,	Williams, E. S.,
Frascella,	Lawson,	Polen,	Wood,
Fry,	Lee, A. M.,	Prendergast,	Worley,
Galley,	Lee, K. B.,	Pursley,	Wynd,
Gallagher,	Leonard,	Reibman,	Yetter,
Gelfand,	Limper,	Reidenbach,	

NAYS—38

Adams,	Fulmer,	Korns,	Stiteler,
Ashton,	George,	Magee,	Ujobal,
Blair,	Gramlich,	Merry,	Wall,
Bowman,	Gross,	Murray,	Weldner,
Davis,	Guthrie,	O'Dell,	Willaredt,
Dennison,	Helm,	Ogilvie,	Wilt,
Edwards,	Hocker,	Price,	Zember,
Elvey,	Holl,	Rutherford,	Zimmerman,
Eshback,	Kelser,	Slack,	Andrews,
Fetterolf,	Knecht,		Speaker

NOT VOTING—5

Breth,	Eshleman,	Mihm,	Strausser,
Curwood,			

The majority required by the Constitution having voted in the affirmative the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with in formation that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 222, entitled:

An Act amending the act of April 24, 1947 (P. L. 100), entitled "Estates Act of 1947," defining conveyance.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Adams,	Gallagher,	Limper,	Royer,
Anderson, J. H.,	Gelfand,	Lippincott,	Rubin,
Anderson, S. A.,	George,	Long, Wm. Jas.,	Rudisill,
Arlene,	Gibb,	Long, Wm. Jos.,	Rutherford,
Ashton,	Gibbons,	Lutty,	Sakulsky,
Auker,	Goldstein, J. H.,	Magee,	Scarcelli,
Bachman,	Goldstein, M. H.,	Manbeck,	Schaaaf,
Backenstoe,	Goodrich,	Markley,	Schuster,
Blair,	Gramlich,	Marsh,	Seltzer,
Boies,	Gray,	Maxwell,	Shelton,
Bonner,	Greenlee,	May,	Sherman,
Bossert,	Gremminger,	McCann,	Shupnik,
Bower,	Gross,	McCandless,	Simmons,
Bowman,	Guesman,	McCormack,	Slack,
Branca,	Guthrie,	McDevitt,	Snare,
Buchanan,	Hamilton,	McDonald,	Stank,
Bush,	Hankins,	McInroy,	Steckel,
Capano,	Hartley,	McKeever,	Stimmel,
Capitolo,	Haudenshield,	McLaughlin,	Stiteler,
Cauley,	Heavey,	McNally,	Stone,
Cianfrani,	Helm,	Meholchick,	Strausser,
Cioffi,	Henzel,	Merry,	Sullivan, J. A.,
Clarke,	Hocker,	Miller,	Sullivan, T. F.,
Comer,	Holl,	Mills,	Taylor,
Cooley,	Holliday,	Monroe,	Thompson,
Crossin,	Holman,	Morley,	Tomasck,
Davis,	Horst,	Mullen,	Tompkins,
Dengler,	Irvis,	Munley,	Trusio,
Dennison,	Isaacs,	Murphy,	Ujobal,
Donaldson,	Jenkins,	Murray,	Varner,
Dougherty,	Jim,	Musto,	Verona,
Doughten,	Johnson, A. W.,	Needham,	Wall,
Down,	Johnson, R. P.,	O'Dell,	Walsh,
Edwards,	Jones,	O'Donnell, J. A.,	Wargo,
Ellberg,	Kamyk,	O'Donnell, J. P.,	Weidner,
Elvey,	Kelser,	Odoriso,	Welsh,
Eshback,	Kelly,	Ogilvie,	Wescott,
Esler,	Kernaghan,	Parlante,	Whittaker,
Ewing,	Kessler,	Pashley,	Willard,
Farabaugh,	King,	Perry,	Willaredt,
Fetterolf,	Kistler,	Petrosky,	Williams, A. D.,
Filo,	Klein,	Piper,	Williams, E. S.,
Fineman,	Knecht,	Polaski,	Wilt,

Flynn,	Kooker,	Polen,	Wood,
Foerster,	Kornick,	Prendergast,	Worley,
Foor,	Korns,	Price,	Wynd,
Fox,	Kramer,	Pursley,	Yetter,
Frascella,	Lamb,	Reibman,	Zember,
Fry,	Lawson,	Renwick,	Zimmerman,
Fulmer,	Lee, K. B.,	Riley,	Andrews,
Galley,	Leonard,	Rovansek,	Speaker

NAYS—0

NOT VOTING—7

Breth,	Eshleman,	Lee, A. M.,	Reidenbach,
Curwood,	Hefner,	Mihm,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with in formation that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 691, entitled:

An Act amending the act of July 17, 1935 (P. L. 1092), entitled "Fraternal Benefit Societies Act," further extending the benefits that may be provided by a fraternal benefit society.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Adams,	Gallagher,	Limper,	Royer,
Anderson, J. H.,	Gelfand,	Lippincott,	Rubin,
Anderson, S. A.,	George,	Long, Wm. Jas.,	Rudisill,
Arlene,	Gibb,	Long, Wm. Jos.,	Rutherford,
Ashton,	Gibbons,	Magee,	Sakulsky,
Auker,	Goldstein, J. H.,	Manbeck,	Scarcelli,
Bachman,	Goldstein, M. H.,	Marsh,	Schaaaf,
Backenstoe,	Goodrich,	Maxwell,	Schuster,
Blair,	Gramlich,	May,	Seltzer,
Boies,	Gray,	McCandless,	Shelton,
Bonner,	Greenlee,	McCann,	Sherman,
Bossert,	Gross,	McCormack,	Shupnik,
Bower,	Guesman,	McDevitt,	Simmons,
Bowman,	Guthrie,	McDonald,	Slack,
Branca,	Hamilton,	McInroy,	Snare,
Buchanan,	Hankins,	McKeever,	Stank,
Bush,	Hartley,	McLaughlin,	Steckel,
Capano,	Haudenshield,	McNally,	Stimmel,
Capitolo,	Heavey,	Meholchick,	Stiteler,
Cauley,	Hefner,	Merry,	Stone,
Cianfrani,	Helm,	Miller,	Strausser,
Cioffi,	Henzel,	Mills,	Sullivan, J. A.,
Clarke,	Hocker,	Monroe,	Sullivan, T. F.,
Comer,	Holl,	Morley,	Taylor,
Cooley,	Holliday,	Mullen,	Thompson,
Crossin,	Holman,	Munley,	Tomasck,
Davis,	Horst,	Murphy,	Tompkins,
Dengler,	Irvis,	Murray,	Trusio,
Dennison,	Isaacs,	Musto,	Ujobal,
Donaldson,	Jenkins,	Needham,	Varner,
Dougherty,	Jim,	O'Dell,	Verona,
Doughten,	Johnson, A. W.,	O'Donnell, J. A.,	Wall,
Down,	Johnson, R. P.,	O'Donnell, J. P.,	Walsh,
Edwards,	Kamyk,	Odoriso,	Wargo,
Ellberg,	Kelly,	Ogilvie,	Weidner,
Elvey,	Kelser,	Parlante,	Welsh,
Eshback,	Kernaghan,	Pashley,	Wescott,
Esler,	Kessler,	Perry,	Whittaker,
Ewing,	King,	Petrosky,	Willard,
Farabaugh,	Kistler,	Piper,	Willaredt,
Fetterolf,	Klein,	Polaski,	Williams, A. D.,
Filo,	Knecht,	Polen,	Williams, E. S.,
Fineman,	Kooker,	Prendergast,	Wilt,

Flynn, Foerster, Foor, Fox, Frascella, Fry, Fulmer, Galley,	Kornick, Korns, Kramer, Lamb, Lawson, Lee, K. B., Leonard,	Price, Pursley, Reitman, Reidenbach, Renwick, Riley, Rovanseck,	Wood, Worley, Wynd, Yetter, Zember, Zimmerman, Andrews, Speaker
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NAYS—0

NOT VOTING—9

Breth, Curwood, Eshleman,	Gremminger, Jones,	Lee, A. M., Lutty,	Markley, Mihm,
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The majority required by the Constitution having voted in the affirmative the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

DEMOCRAT CAUCUS

Mr. McCANN. Mr. Speaker, I am going to ask the respective caucuses to make their plans for this afternoon, but when I do I also am going to inform the House that very likely we will not quit at 6 o'clock tonight. It will be past that hour. I am going to ask for a two and one-half hour recess at this point, of which 30 minutes will be allowed for lunch right now and two hours for caucus. The first hour will be on final passage bills; the other hour will be on the Education Committee's report to the respective caucuses. The caucus will begin promptly at 20 minutes after 2.

Mr. Speaker, I ask that the members bring with them their House calendars when they come to caucus.

Following the minority leader I will make a motion for a two-and-one-half hour recess.

REPUBLICAN CAUCUS

Mr. A. W. JOHNSON. Mr. Speaker, in view of the announcement of the majority leader, we also will go to lunch for one-half hour and caucus for approximately two hours, on the Republican side.

The SPEAKER pro tempore. The Chair thanks the gentleman.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1294.

An Act amending the "Meat and Meat Food Products Law," approved May 28, 1915 (P. L. 587), excepting from licensing requirements those persons dealing in or handling certain canned meat which does not require refrigeration.

With the information that the Senate has passed the same without amendment.

SENATE MESSAGE

The clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Amended House bill returned for concurrence No. 1595.

RECESS

The SPEAKER pro tempore. The Chair will now declare a recess for two hours and 30 minutes. The Chair hears no objection. Recess is so declared.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR.

BILLS INTRODUCED AND REFERRED

By Messrs. GREENLEE and EILBERG.

HOUSE BILL No. 1829.

An Act amending the "Parking Authority Law," approved June 5, 1947 (P. L. 458), authorizing the extension of the term of existence of an Authority by resolution or ordinance of the municipality.

Referred to the Committee on Cities—Counties First Class.

By Messrs. GREENLEE and EILBERG.

HOUSE BILL No. 1830.

An Act amending the "Parking Authority Law," approved June 5, 1947 (P. L. 458), authorizing the sale or leasing of the space above any parking facility for commercial purposes other than the sale of gasoline or automobile accessories.

Referred to the Committee on Cities—Counties First Class.

By Messrs. EILBERG, DOUGHERTY, FINEMAN and MULLEN.

HOUSE BILL No. 1831.

An Act increasing the number of courts of common pleas in the County of Philadelphia; establishing therein a distinct and separate court of common pleas designated court of common pleas number eight and providing for the appointment and election of judges for the court.

Referred to the Committee on Cities—Counties First Class.

SENATE MESSAGE

SENATE BILL FOR CONCURRENCE

The clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 730.

An Act amending the act of June 1, 1956 (P. L. 1959), entitled "An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court the President Judge and judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court and Juvenile Court of Allegheny County certain associate judges not learned in the law certain state officers and the salary and expenses of the members of the General Assembly and repealing certain inconsistent acts," increasing the salaries of judges of courts of common pleas orphans' courts County Court and Juvenile Court of Allegheny County and Municipal Court of Philadelphia.

Referred to the Committee on Cities—Counties First Class.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 701 entitled:

An Act amending the act of April 4, 1925 (P. L. 127), entitled "An act relating to adoption," authorizing approved agencies or institutions to charge for services rendered to persons taking children into their homes for the purpose of adoption and providing for the approval of such charges by the Department of Public Welfare.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—109

Adams,	George,	Knecht,	Royer,
Anderson, J. H.,	Gibb,	Kooker,	Rubin,
Anderson, S. A.,	Gibbons,	Kramer,	Rutherford,
Bonner,	Goldstein, J. H.,	Lawson,	Seltzer,
Bossert,	Goldstein, M. H.,	Lee, A. M.,	Shelton,
Bower,	Goodrich,	Lee, K. B.,	Simmons,
Bowman,	Gramlich,	Leonard,	Steckel,
Breth,	Gremminger,	Limper,	Stimmel,
Buchanan,	Gross,	Long, Wm. Jas.,	Stone,
Cioffi,	Guesman,	Long, Wm. Jos.,	Strausser,
Davis,	Hamilton,	Markley,	Thompson,
Dengler,	Hankins,	Marsh,	Ujobai,
Dennison,	Haudenschild,	May,	Varner,
Donaldson,	Heffner,	McCann,	Verona,
Down,	Henzel,	McDevitt,	Wall,
Edwards,	Hocker,	McDonald,	Weidner,
Ellberg,	Holl,	McInroy,	Wescott,
Elvey,	Holman,	McKeever,	Willaredt,
Eshback,	Horst,	Monroe,	Williams, A. D.,
Esler,	Johnson, A. W.,	O'Donnell, J. P.,	Williams, E. S.,
Ewing,	Johnson, R. P.,	Olorisio,	Wood,
Fetterolf,	Kelser,	Piper,	Worley,
Fox,	Kelly,	Polen,	Wynd,
Frascella,	Kessler,	Price,	Yetter,
Fry,	King,	Pursley,	Zember,
Fulmer,	Kistler,	Reibman,	Zimmerman,
Gailey,	Klein,	Riley,	Andrews,
Gallagher,			Speaker

NAYS—94

Arlene,	Gelfand,	McLaughlin,	Rovansek,
Ashton,	Gray,	McNally,	Rudisill,
Auker,	Greenlee,	Meholchick,	Sakulsky,
Bachman,	Guthrie,	Merry,	Scarcelli,
Backenstoe,	Hartley,	Miller,	Schaaf,
Blair,	Heavey,	Mills,	Schuster,
Boles,	Helm,	Morley,	Sherman,
Branca,	Holliday,	Munley,	Shupnik,
Bush,	Irvs,	Murphy,	Slack,
Capano,	Isaacs,	Murray,	Snare,
Capitolo,	Jenkins,	Musto,	Stank,
Cauley,	Jim,	Needham,	Stiteler,
Cianfrani,	Jones,	O'Dell,	Sullivan, J. A.,
Clarke,	Kamyk,	O'Donnell, J. A.,	Sullivan, T. F.,
Comer,	Kernaghan,	Ogilvie,	Taylor,
Cooley,	Kornick,	Parlante,	Tomasck,
Crossin,	Korns,	Pashley,	Tompkins,
Doughten,	Lamb,	Perry,	Trusio,
Farabaugh,	Lippincott,	Petrosky,	Wargo,
Filo,	Lutty,	Polaski,	Welsh,
Fineman,	Magee,	Prendergast,	Whittaker,
Flynn,	Manbeck,	Reidenbach,	Willard,
Foerster,	Maxwell,	Renwick,	Wilt,
Foor,	McCandless,		

NOT VOTING—7

Curwood,	Eshleman,	Mihm,	Walsh,
Dougherty,	McCormack,	Mullen,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1422, entitled:

An Act providing for the establishment of pension funds or pension annuities for paid firemen in certain boroughs towns and townships and the regulation and maintenance thereof * * *.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Adams,	Gailey,	Lee, A. M.,	Renwick,
Anderson, J. H.,	Gallagher,	Lee, K. B.,	Riley,
Anderson, S. A.,	Gelfand,	Leonard,	Rovansek,
Arlene,	George,	Limper,	Royer,
Ashton,	Gibb,	Lippincott,	Rubin,
Auker,	Gibbons,	Long, Wm. Jas.,	Rudisill,
Bachman,	Goldstein, J. H.,	Long, Wm. Jos.,	Rutherford,
Backenstoe,	Goldstein, M. H.,	Lutty,	Sakulsky,
Blair,	Goodrich,	Magee,	Scarcelli,
Boles,	Gramlich,	Manbeck,	Schaaf,
Bonner,	Gray,	Markley,	Seltzer,
Bossert,	Greenlee,	Marsh,	Shelton,
Bower,	Gremminger,	Maxwell,	Sherman,
Bowman,	Gross,	May,	Shupnik,
Branca,	Guesman,	McCann,	Simmons,
Breth,	Guthrie,	McCormack,	Slack,
Buchanan,	Hamilton,	McDevitt,	Snare,
Bush,	Hankins,	McDonald,	Stank,
Capano,	Hartley,	McInroy,	Steckel,
Capitolo,	Haudenschild,	McKeever,	Stimmel,
Cauley,	Heavey,	McLaughlin,	Stiteler,
Cianfrani,	Heffner,	McNally,	Stone,
Cioffi,	Helm,	Meholchick,	Strausser,
Clarke,	Henzel,	Merry,	Sullivan, J. A.,
Comer,	Hocker,	Miller,	Sullivan, T. F.,
Cooley,	Holl,	Mills,	Taylor,
Crossin,	Holliday,	Monroe,	Thompson,
Davis,	Holman,	Morley,	Tompkins,
Dengler,	Horst,	Mullen,	Trusio,
Dennison,	Irvs,	Munley,	Ujobai,
Donaldson,	Isaacs,	Murphy,	Varner,
Dougherty,	Jenkins,	Murray,	Verona,
Doughten,	Jim,	Musto,	Wall,
Down,	Johnson, A. W.,	Needham,	Wargo,
Edwards,	Johnson, R. P.,	O'Dell,	Weidner,
Ellberg,	Jones,	O'Donnell, J. A.,	Welsh,
Elvey,	Kamyk,	Ogilvie,	Wescott,
Eshback,	Kelser,	Odoriso,	Whittaker,
Esler,	Kelly,	Parlante,	Willard,
Ewing,	Kernaghan,	Pashley,	Willaredt,
Farabaugh,	Kessler,	Perry,	Williams, A. D.,
Fetterolf,	King,	Petrosky,	Williams, E. S.,
Filo,	Kistler,	Piper,	Wilt,
Fineman,	Klein,	Polen,	Wood,
Flynn,	Knecht,	Polaski,	Worley,
Foerster,	Kooker,	Prendergast,	Wynd,
Foor,	Kornick,	Price,	Yetter,
Fox,	Korns,	Pursley,	Zember,
Frascella,	Kramer,	Reibman,	Zimmerman,
Fry,	Lamb,	Reidenbach,	Andrews,
Fulmer,	Lawson,		Speaker

NAYS—0

NOT VOTING—8

Curwood,	McCandless,	O'Donnell, J. P.,	Tomasck,
Eshleman,	Mihm,	Schuster,	Walsh,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Mr. McCANDLESS. Mr. Speaker, I would like to be recorded as voting "aye" on this last bill.

The SPEAKER. The remarks of the gentleman will be spread upon the record.

BILL PASSED OVER

There being no objection

House bill No. 1541, printer's No. 2483
was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the consideration on final
passage of House bill No. 1604, entitled:

An Act amending the "Intangible Personal Property Tax
Law," approved June 17, 1913 (P. L. 507), increasing as-
sessments when returns are filed later than a certain date.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas
and nays were taken and were as follows:

YEAS—167

Adams,	Gallagher,	Limper,	Rovansek,
Anderson, J. H.,	George,	Lippincott,	Royer,
Anderson, S. A.,	Gibb,	Long, Wm. Jas.,	Rubin,
Arlene,	Gibbons,	Long, Wm. Jos.,	Rudisill,
Ashton,	Goldstein, M. H.,	Lutty,	Rutherford,
Auker,	Goodrich,	Markley,	Sakulsky,
Bachman,	Gramlich,	Marsh,	Scarcelli,
Backenstoe,	Gray,	Maxwell,	Schaaf,
Blair,	Greenlee,	May,	Schuster,
Boles,	Gremminger,	McCandless,	Shelton,
Bonner,	Guesman,	McCann,	Sherman,
Bossert,	Guthrie,	McDevitt,	Simmons,
Bower,	Hamilton,	Slack,	Steckel,
Bowman,	Hankins,	McKeever,	Stimmel,
Branca,	Hartley,	McLaughlin,	Stone,
Breth,	Haudenshield,	McNally,	Strausser,
Buchanan,	Heavey,	Meholchick,	Sullivan, J. A.,
Capano,	Heffner,	Merry,	Sullivan, T. F.,
Capitolo,	Helm,	Miller,	Taylor,
Cauley,	Hocker,	Mills,	Thompson,
Cianfrani,	Holman,	Monroe,	Tomasck,
Cioffi,	Irvis,	Morley,	Tompkins,
Clarke,	Jenkins,	Mullen,	Trusio,
Comer,	Jim,	Munley,	Ujobal,
Cooley,	Johnson, A. W.,	Murphy,	Verona,
Crossin,	Jones,	Murray,	Wall,
Davis,	Kamyk,	Musto,	Wargo,
Donaldson,	Keiser,	Needham,	Weldner,
Dougherty,	Kelly,	O'Donnell, J. A.,	Welsh,
Doughten,	Kessler,	O'Donnell, J. P.,	Wescott,
Eilberg,	King,	Ogilvie,	Willard,
Elvey,	Kistler,	Parlante,	Williams, A. D.,
Esler,	Klein,	Pashley,	Williams, E. S.,
Ewing,	Knecht,	Perry,	Wilt,
Farabaugh,	Kooker,	Petrosky,	Wood,
Filo,	Kornick,	Piper,	Wynd,
Flynn,	Kramer,	Polaski,	Yetter,
Foerster,	Lamb,	Prendergast,	Zemmer,
Frascella,	Lawson,	Pursley,	Zimmerman,
Fry,	Lee, A. M.,	Reibman,	
Fulmer,	Lee, K. B.,	Reidenbach,	
Galley,	Leonard,	Riley,	

Speaker

NAYS—33

Bush,	Goldstein, J. H.,	Kernaghan,	Renwick,
Dengler,	Gross,	Korns,	Snare,
Dennison,	Henzel,	Magee,	Steckel,
Down,	Holl,	Manbeck,	Stimmel,
Edwards,	Holliday,	McInroy,	Stiteler,
Eshback,	Horst,	O'Dell,	Varner,
Fetterolf,	Isaacs,	Odoriso,	Whittaker,
Foor,	Johnson, R. P.,	Price,	Willard,
Fox,			Williams, A. D.,
			Williams, E. S.,
			Wilt,
			Wood,
			Worley,
			Wynd,
			Zemmer,
			Zimmerman,

NOT VOTING—10

Curwood,	Gelfand,	Polen,	Shupnik,
Eshleman,	McCormack,	Seltzer,	Walsh,
Fineman,	Mihm,		

The majority required by the Constitution having voted
in the affirmative, the question was determined in the
affirmative.

Ordered, that the clerk present the same to the Senate
for concurrence.

BILLS PASSED OVER

There being no objection

House bill No. 1630, printer's No. 2479 and
House bill No. 1648, printer's No. 2395
were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the consideration on final
passage of House bill No. 1652, entitled:

An Act amending the act of April 24, 1913 (P. L. 114),
entitled "An act regulating the time of payment of wages
and earnings and providing a penalty for violation there-
of," further regulating the time of payment of wages and
earnings.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas
and nays were taken and were as follows:

YEAS—108

Adams,	Galley,	Lutty,	Prendergast,
Anderson, S. A.,	Gallagher,	Maxwell,	Reibman,
Arlene,	Gelfand,	McCann,	Reidenbach,
Bachman,	Gray,	McCormack,	Renwick,
Boles,	Greenlee,	McDevitt,	Riley,
Bonner,	Gremminger,	McDonald,	Rovansek,
Branca,	Guesman,	McKeever,	Rubin,
Breth,	Hamilton,	McLaughlin,	Rudisill,
Capano,	Hankins,	McNally,	Sakulsky,
Capitolo,	Hartley,	Meholchick,	Scarcelli,
Cauley,	Heavey,	Mills,	Schaaf,
Cianfrani,	Holliday,	Monroe,	Schuster,
Cioffi,	Irvis,	Morley,	Shelton,
Clarke,	Jenkins,	Mullen,	Sherman,
Comer,	Jim,	Munley,	Shupnik,
Cooley,	Jones,	Murray,	Stank,
Crossin,	Kamyk,	Murphy,	Stone,
Dougherty,	Kelly,	Musto,	Sullivan, J. A.,
Doughten,	Klein,	Needham,	Sullivan, T. F.,
Eilberg,	Kornick,	O'Donnell, J. A.,	Taylor,
Farabaugh,	Kramer,	O'Donnell, J. P.,	Tomasck,
Filo,	Lamb,	Parlante,	Trusio,
Fineman,	Lawson,	Pashley,	Schuster,
Flynn,	Leonard,	Perry,	Verona,
Foerster,	Limper,	Petrosky,	Wargo,
Frascella,	Long, Wm. Jas.,	Polaski,	Welsh,
Fry,	Long, Wm. Jos.,	Polen,	Yetter,
			Andrews,

Speaker

NAYS—96

Anderson, J. H.,	George,	Kooker,	Slack,
Ashton,	Gibb,	Korns,	Snare,
Auker,	Gibbons,	Lee, A. M.,	Steckel,
Backenstoe,	Goldstein, J. H.,	Lee, K. B.,	Stimmel,
Blair,	Goldstein, M. H.,	Lippincott,	Stiteler,
Bossert,	Goodrich,	Magee,	Strausser,
Bower,	Gramlich,	Manbeck,	Thompson,
Bowman,	Gross,	Markley,	Tompkins,
Buchanan,	Guthrie,	Marsh,	Ujobal,
Bush,	Helm,	May,	Varner,
Davis,	Henzel,	McCandless,	Wall,
Dengler,	Hocker,	McInroy,	Weidner,
Dennison,	Holl,	Merry,	Wescott,
Donaldson,	Holman,	Miller,	Whittaker,
Down,	Horst,	O'Dell,	Willard,
Edwards,	Isaacs,	Odoriso,	Williams, A. D.,
Elvey,	Johnson, A. W.,	Ogilvie,	Williams, E. S.,
Eshback,	Johnson, R. P.,	Piper,	Wilt,
Esler,	Keiser,	Price,	Wood,
Ewing,	Kernaghan,	Pursley,	Worley,
Fetterolf,	Kessler,	Royer,	Wynd,
Foor,	King,	Rutherford,	Zemmer,
Fox,	Kistler,	Seltzer,	Zimmerman,
Fulmer,	Knecht,	Simmons,	

NOT VOTING—6

Curwood,	Haudenshield,	Mihm,	Walsh,
Eshleman,	Heffner,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1665, entitled:

An Act amending the "Local Tax Enabling Act," approved June 25, 1947 (P. L. 1145), requiring taxes collected upon the transfer of real property or of any interest in real property to be collected at the county seat.

On the question,

Shall the bill pass finally?

Mr. ISAACS. Mr. Speaker, I rise again in opposition to House bill 1665. This bill originally would have taken the collection of the real estate transfer tax away from the local tax collector and provided that it be collected at the county seat. The bill did not say and does not yet say by whom. However, the bill was defeated when it was run before and has since been amended to apply to the county of Allegheny only.

Mr. Speaker, this is somewhat reminiscent of the old Hitler theory of divide and conquer. It applies only to Allegheny County. I presume Allegheny County has tax collectors. The duty of a tax collector, by his name, is the collection of taxes. Many of these gentlemen are working on salaries. They ran for office on the assumption that they would collect the real estate transfer tax. For many reasons this bill should be opposed. It was debated thoroughly the last time it was before this House. To show that my presentation here is bipartisan, I might say, particularly for the members on the other side of the aisle, that the president of the Pennsylvania Tax Collectors' Association, who is violently opposed to this bill, is a leading Democrat from the county of Berks.

This bill should be defeated and I ask the members on both sides of the House to vote against it.

Mr. LAMB. Mr. Speaker, the present bill under consideration applies only in counties of the second class. We have a problem in the counties of the second class which I feel this bill can correct. I would ask that all members of the House support me in this position.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—128

Anderson, S. A.,	Gelfand,	Long, Wm. Jos.,	Renwick,
Arlene,	George,	Lutty,	Riley,
Auker,	Gibb,	Markley,	Rovansek,
Bachman,	Goldstein, M. H.,	Maxwell,	Rubin,
Backenstoe,	Goodrich,	May,	Rudisill,
Boles,	Gray,	McCann,	Rutherford,
Bonner,	Greenlee,	McCormack,	Sakulsky,
Bower,	Gremminger,	McDevitt,	Schaaf,
Branca,	Guesman,	McDonald,	Schuster,
Breth,	Hamilton,	McLaughlin,	Shelton,
Capano,	Hankins,	McNally,	Sherman,
Cauley,	Hartley,	Meholchick,	Shupnik,
Clanfrani,	Heavey,	Mills,	Simmons,
Cioffi,	Holliday,	Monroe,	Stank,
Clarke,	Holman,	Morley,	Steckel,
Comer,	Irviss,	Mullen,	Stimmel,
Crossin,	Jenkins,	Munley,	Sullivan, J. A.,
Dennison,	Jim,	Murray,	Sullivan, T. F.,

Donaldson,	Johnson, A. W.,	Musto,	Taylor,
Dougherty,	Jones,	Needham,	Thompson,
Doughten,	Kamyk,	O'Donnell, J. A.,	Tomascik,
Esler,	Kelly,	Pashley,	Tompkins,
Ewing,	Kessler,	Perry,	Varner,
Farabaugh,	Kistler,	Petrosky,	Verona,
Filo,	Klein,	Piper,	Wall,
Fineman,	Kooker,	Polaski,	Welsh,
Flynn,	Kramer,	Polen,	Wescott,
Foerster,	Lamb,	Prendergast,	Williams, A. D.,
Frascella,	Lawson,	Price,	Williams, E. S.,
Fry,	Lee, K. B.,	Pursley,	Wilt,
Fulmer,	Leonard,	Reibman,	Yetter,
Galley,	Limper,	Reidenbach,	Andrews,

Speaker

NAYS—71

Adams,	Fox,	Knecht,	Royer,
Anderson, J. H.,	Gallagher,	Korns,	Scarcelli,
Ashton,	Gibbons,	Lee, A. M.,	Slack,
Blair,	Goldstein, J. H.,	Lippincott,	Snare,
Bossert,	Gramlich,	Long, Wm. Jas.,	Stiteler,
Bowman,	Gross,	Magee,	Trusio,
Buchanan,	Guthrie,	Manbeck,	Ujobai,
Bush,	Heffner,	Marsh,	Wargo,
Capitolo,	Helm,	McCandless,	Weidner,
Cooley,	Henzel,	McInroy,	Whittaker,
Davis,	Hocker,	McKeever,	Willard,
Dengler,	Holl,	Merry,	Willaredt,
Down,	Horst,	Miller,	Wood,
Edwards,	Isaacs,	Murphy,	Worley,
Elvey,	Johnson, R. P.,	O'Dell,	Wynd,
Eshback,	Kelser,	Odorisio,	Zember,
Fetterolf,	Kernaghan,	Ogilvie,	Zimmerman,
Foor,	King,	Parlante,	

NOT VOTING—11

Curwood,	Haudenschild,	O'Donnell, J. P.,	Strausser,
Ellberg,	Kornick,	Seltzer,	Walsh,
Eshleman,	Mihm,	Stone,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

INTERROGATION

Mr. McCANN. Mr. Speaker, could I ask the minority leader if there would be any objection to the bills that are agreed to on the appropriations list that was discussed, that is, the general fund budget appropriation bills, for which 106 votes are required, following the order from the list that was given to the gentleman?

The SPEAKER. The Chair recognizes the minority leader.

Mr. A. W. JOHNSON. We in our caucus discussed the fact that there are about \$2 million of these appropriations that only require 106 votes. We are prepared to give votes for those bills today and Mr. McCann has the list and it is all right to call them up.

Mr. McCANN. I thank the gentleman, Mr. Speaker. I request permission to go by the list, that he may check them of in that manner. The first bill then would be on page 10. The bill number would be 761, appropriation bills on third reading, House bill 761.

APPROPRIATION BILLS ON THIRD READING (NON-PREFERRED)

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 761, entitled:

An Act making an appropriation to the Department of Commerce for payments of grants to local agencies for tourist promotional assistance.

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—198

Adams,	Gallagher,	Leonard,	Rovansek,
Anderson, J. H.,	Gelfand,	Limper,	Royer,
Anderson, S. A.,	George,	Lippincott,	Rubln,
Arlene,	Gibb,	Long, Wm. Jas.,	Rudisill,
Auker,	Gibbons,	Long, Wm. Jos.,	Rutherford,
Bachman,	Goldstein, J. H.,	Lutty,	Sakulsky,
Backenstoe,	Goldstein, M. H.,	Magee,	Scarcelli,
Blair,	Goodrich,	Manbeck,	Schaaf,
Boles,	Gramlich,	Markley,	Schuster,
Bonner,	Gray,	Marsh,	Shelton,
Bossert,	Greenlee,	Maxwell,	Sherman,
Bower,	Gremminger,	May,	Shupnik,
Bowman,	Gross,	McCandless,	Simmons,
Branca,	Guesman,	McCann,	Slack,
Breth,	Guthrie,	McCormack,	Snare,
Buchanan,	Hamilton,	McDevitt,	Stank,
Bush,	Hankins,	McDonald,	Steckel,
Capano,	Hartley,	McInroy,	Stimmel,
Capitolo,	Haudenshield,	McKeever,	Stiteler,
Cauley,	Heavey,	McLaughlin,	Stone,
Cianfrani,	Heffner,	McNally,	Strausser,
Cioffi,	Helm,	Meholchick,	Sullivan, J. A.,
Clarke,	Henzel,	Merry,	Sullivan, T. F.,
Comer,	Hocker,	Miller,	Taylor,
Cooley,	Holl,	Mills,	Thompson,
Crossin,	Holliday,	Monroe,	Tomascik,
Davis,	Holman,	Morley,	Tompkins,
Dengler,	Horst,	Mullen,	Trusio,
Donaldson,	Irvls,	Munley,	Ujobai,
Dougherty,	Isaacs,	Murray,	Varner,
Doughten,	Jenkins,	Musto,	Verona,
Down,	Jim,	Needham,	Wall,
Edwards,	Johnson, A. W.,	O'Dell,	Wargo,
Ellberg,	Jones,	O'Donnell, J. A.,	Weldner,
Elvey,	Kamyk,	Odorisio,	Welsh,
Eshback,	Keiser,	Ogilvie,	Wescott,
Esler,	Kelly,	Parlante,	Whittaker,
Ewing,	Kernaghan,	Pashley,	Willard,
Farabaugh,	Kessler,	Perry,	Willaredt,
Fetterolf,	King,	Petrosky,	Williams, A. D.,
Filo,	Klein,	Piper,	Williams, E. S.,
Fineman,	Knecht,	Polaski,	Wilt,
Flynn,	Kooker,	Polen,	Wood,
Foerster,	Kornick,	Prendergast,	Worley,
Foor,	Korns,	Pursley,	Wynd,
Fox,	Kramer,	Reibman,	Yetter,
Frascella,	Lamb,	Reidenbach,	Zemmer,
Fry,	Lawson,	Renwick,	Zimmerman,
Fulmer,	Lee, A. M.,	Riley,	Andrews,
Galley,	Lee, K. B.,		Speaker

NAYS—6

Ashton,	Johnson, R. P.,	Murphy,	Price,
Dennison,	Kistler,		

NOT VOTING—6

Curwood,	Mihm,	Seltzer,	Walsh,
Eshleman,	O'Donnell, J. P.,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1199, entitled:

An Act making appropriations to the Department of Forests and Waters for certain capital improvements in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—195

Adams,	Gelfand,	Limper,	Renwick,
Anderson, J. H.,	George,	Lippincott,	Riley,
Anderson, S. A.,	Gibb,	Long, Wm. Jas.,	Rovansek,
Arlene,	Gibbons,	Long, Wm. Jos.,	Royer,
Backenstoe,	Goldstein, J. H.,	Lutty,	Rubin,
Blair,	Goldstein, M. H.,	Magee,	Rudisill,
Boles,	Goodrich,	Manbeck,	Rutherford,
Bonner,	Gramlich,	Markley,	Sakulsky,
Bossert,	Gray,	Marsh,	Scarcelli,
Bower,	Greenlee,	Maxwell,	Schuster,
Bowman,	Gremminger,	May,	Seltzer,
Branca,	Gross,	McCandless,	Shelton,
Breth,	Guesman,	McCormack,	Shupnik,
Buchanan,	Guthrie,	McCann,	Simmons,
Bush,	Hamilton,	McDevitt,	Snare,
Capano,	Hankins,	McDonald,	Stank,
Capitolo,	Hartley,	McInroy,	Steckel,
Cauley,	Haudenshield,	McKeever,	Stimmel,
Cianfrani,	Heavey,	McLaughlin,	Stone,
Cioffi,	Heffner,	McNally,	Strausser,
Clarke,	Helm,	Meholchick,	Sullivan, J. A.,
Comer,	Henzel,	Merry,	Sullivan, T. F.,
Cooley,	Hocker,	Miller,	Taylor,
Crossin,	Holliday,	Mills,	Thompson,
Davis,	Holman,	Monroe,	Tomascik,
Dengler,	Horst,	Morley,	Tompkins,
Donaldson,	Irvls,	Mullen,	Trusio,
Doughten,	Isaacs,	Munley,	Ujobai,
Down,	Jenkins,	Murphy,	Varner,
Edwards,	Jim,	Murray,	Verona,
Ellberg,	Jones,	Musto,	Wall,
Elvey,	Kamyk,	Needham,	Wargo,
Eshback,	Keiser,	O'Dell,	Weidner,
Esler,	Kelly,	O'Donnell, J. A.,	Welsh,
Ewing,	Kernaghan,	O'Donnell, J. P.,	Wescott,
Farabaugh,	Kessler,	Odorisio,	Whittaker,
Fetterolf,	King,	Ogilvie,	Willaredt,
Filo,	Kistler,	Parlante,	Willard,
Fineman,	Klein,	Pashley,	Williams, A. D.,
Flynn,	Knecht,	Perry,	Williams, E. S.,
Foerster,	Kooker,	Petrosky,	Wilt,
Foor,	Kornick,	Piper,	Wood,
Fox,	Korns,	Polaski,	Worley,
Frascella,	Kramer,	Polen,	Wynd,
Fry,	Lamb,	Prendergast,	Yetter,
Fulmer,	Lawson,	Price,	Zemmer,
Galley,	Lee, A. M.,	Pursley,	Zimmerman,
Gallagher,	Lee, K. B.,	Reibman,	Andrews,
	Leonard,	Reidenbach,	Speaker

NAYS—6

Ashton,	Holl,	Slack,	Stiteler,
Auker,	Johnson, R. P.,		

NOT VOTING—9

Bachman,	Eshleman,	Mihm,	Sherman,
Curwood,	Johnson, A. W.,	Schaa,	Walsh,
Dougherty,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1195, entitled:

An Act making an appropriation to the Department of Health for certain capital improvements in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Adams,	Gallagher,	Lee, K. B.,	Riley,
Anderson, J. H.,	Gelfand,	Leonard,	Rovanse,
Anderson, S. A.,	George,	Limper,	Royer,
Arlene,	Gibb,	Lippincott,	Rubin,
Ashton,	Gibbons,	Long, Wm. Jas.,	Rudisill,
Auker,	Goldstein, J. H.,	Lutty,	Rutherford,
Bachman,	Goldstein, M. H.,	Magee,	Sakulsky,
Backenstoe,	Goodrich,	Manbeck,	Scarcelli,
Blair,	Gramlich,	Markley,	Schaaf,
Boies,	Gray,	Marsh,	Schuster,
Bonner,	Greenlee,	Maxwell,	Seltzer,
Bossert,	Gremminger,	McCandless,	Shelton,
Bowman,	Gross,	McCann,	Sherman,
Branca,	Guthrie,	McDevitt,	Shupnik,
Breth,	Hamilton,	McDonald,	Simmons,
Buchanan,	Hankins,	McInroy,	Slack,
Bush,	Hartley,	McKeever,	Snare,
Capano,	Haudenschild,	McLaughlin,	Stank,
Capitolo,	Heavey,	McNally,	Steckel,
Cauley,	Heffner,	Meholchick,	Stimmel,
Cianfrani,	Helm,	Merry,	Strausser,
Cioffi,	Henzel,	Miller,	Sullivan, J. A.,
Comer,	Hocker,	Mills,	Sullivan, T. F.,
Cooley,	Holl,	Monroe,	Taylor,
Crossin,	Holliday,	Morley,	Thompson,
Davis,	Horst,	Mullen,	Tomasck,
Dengler,	Irvins,	Munley,	Tompkins,
Dennison,	Isaacs,	Murphy,	Trusio,
Donaldson,	Jenkins,	Murray,	Ujobai,
Dougherty,	Jim,	Musto,	Varner,
Doughten,	Johnson, A. W.,	Needham,	Verona,
Down,	Johnson, R. P.,	O'Dell,	Wall,
Edwards,	Jones,	O'Donnell, J. A.,	Wargo,
Ellberg,	Kamyk,	O'Donnell, J. P.,	Weidner,
Elvey,	Keiser,	Odorisio,	Welsh,
Eshback,	Kelly,	Ogilvie,	Wescott,
Esler,	Kernaghan,	Parlante,	Whittaker,
Ewing,	Kessler,	Pashley,	Willard,
Farabaugh,	King,	Perry,	Willaredt,
Fetterolf,	Kistler,	Petrosky,	Williams, A. D.,
Filo,	Klein,	Piper,	Williams, E. S.,
Fineman,	Knecht,	Polaski,	Wilt,
Flynn,	Kooker,	Polen,	Wood,
Foerster,	Kornick,	Prendergast,	Worley,
Foor,	Korns,	Price,	Wynd,
Fox,	Kramer,	Pursley,	Zember,
Frascella,	Lamb,	Reibman,	Zimmerman,
Fry,	Lawson,	Reidenbach,	Andrews,
Fulmer,	Lee, A. M.,	Renwick,	Speaker

NAYS—1

Stiteler,

NOT VOTING—10

Bower,	Eshleman,	McCormack,	Walsh,
Clarke,	Guesman,	Mihm,	Yetter,
Curwood,	May,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1193, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for certain capital improvements in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Adams,	Gallagher,	Leonard,	Royer,
Anderson, J. H.,	Gelfand,	Lippincott,	Riley,
Anderson, S. A.,	Gibb,	Long, Wm. Jas.,	Rubin,
Arlene,	Gibbons,	Long, Wm. Jos.,	Rudisill,
Ashton,	Goldstein, J. H.,	Lutty,	Rutherford,
Auker,	Goldstein, M. H.,	Magee,	Sakulsky,
Bachman,	Goodrich,	Manbeck,	Scarcelli,
Backenstoe,	Gramlich,	Markley,	Schaaf,
Blair,	Gray,	Marsh,	Schuster,
Boies,	Greenlee,	Maxwell,	Seltzer,
Bonner,	Gremminger,	May,	Shelton,
Bossert,	Gross,	McCandless,	Sherman,
Bower,	Guesman,	McCann,	Shupnik,
Bowman,	Guthrie,	McCormack,	Simmons,
Branca,	Hamilton,	McDevitt,	Slack,
Breth,	Hankins,	McDonald,	Snare,
Buchanan,	Hartley,	McInroy,	Stank,
Bush,	Haudenschild,	McKeever,	Steckel,
Capano,	Heavey,	McLaughlin,	Stimmel,
Capitolo,	Heffner,	McNally,	Stiteler,
Cauley,	Helm,	Meholchick,	Stone,
Cianfrani,	Henzel,	Merry,	Strausser,
Cioffi,	Hocker,	Miller,	Sullivan, J. A.,
Clarke,	Holl,	Mills,	Sullivan, T. F.,
Comer,	Holliday,	Monroe,	Taylor,
Cooley,	Holman,	Morley,	Thompson,
Crossin,	Horst,	Mullen,	Tomasck,
Davis,	Irvins,	Munley,	Tompkins,
Dengler,	Isaacs,	Murray,	Trusio,
Dennison,	Jenkins,	Musto,	Ujobai,
Donaldson,	Jim,	Needham,	Varner,
Dougherty,	Johnson, A. W.,	O'Dell,	Verona,
Doughten,	Johnson, R. P.,	O'Donnell, J. A.,	Wall,
Down,	Jones,	O'Donnell, J. P.,	Wargo,
Edwards,	Kamyk,	Odorisio,	Weidner,
Ellberg,	Keiser,	Ogilvie,	Welsh,
Elvey,	Kernaghan,	Parlante,	Wescott,
Eshback,	Kelly,	Pashley,	Whittaker,
Esler,	Kessler,	Perry,	Willard,
Ewing,	King,	Petrosky,	Willaredt,
Farabaugh,	Kistler,	Piper,	Williams, A. D.,
Fetterolf,	Klein,	Polaski,	Williams, E. S.,
Filo,	Kooker,	Polen,	Wilt,
Fineman,	Kornick,	Prendergast,	Wood,
Flynn,	Korns,	Price,	Worley,
Foor,	Kramer,	Pursley,	Wynd,
Fox,	Lamb,	Reibman,	Yetter,
Frascella,	Lawson,	Reidenbach,	Zember,
Fry,	Lee, A. M.,	Renwick,	Zimmerman,
Fulmer,	Lee, K. B.,	Rovanse,	Andrews,
Galley,			Speaker

NAYS—2

Foerster, Murphy,

NOT VOTING—7

Curwood,	George,	Limper,	Walsh,
Eshleman,	Knecht,	Mihm,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Mr. HELM IN THE CHAIR

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1197, entitled:

An Act making an appropriation to the Department of Justice for certain capital improvements in accordance with long range planning for capital improvements de-

signed to make the most effective use of the State's available resources.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Adams,	George,	Lippincott,	Rovansek,
Anderson, J. H.,	Gibb,	Long, Wm. Jas.,	Royer,
Anderson, S. A.,	Gibbons,	Long, Wm. Jos.,	Rubin,
Arlene,	Goldstein, J. H.,	Lutty,	Rudisill,
Ashton,	Goldstein, M. H.,	Magee,	Rutherford,
Auker,	Goodrich,	Manbeck,	Sakulsky,
Bachman,	Gramlich,	Markley,	Scarcelli,
Backenstoe,	Gray,	Marsh,	Schaaf,
Boles,	Greenlee,	Maxwell,	Schuster,
Bonner,	Gremminger,	May,	Seltzer,
Bossert,	Gross,	McCandless,	Shelton,
Bower,	Guesman,	McCann,	Sherman,
Bowman,	Guthrie,	McCormack,	Shupnik,
Branca,	Hamilton,	McDevitt,	Simmons,
Breth,	Hankins,	McDonald,	Slack,
Buchanan,	Hartley,	McInroy,	Snare,
Bush,	Haudenshield,	McKeever,	Stank,
Capano,	Heffner,	McLaughlin,	Steckel,
Capitolo,	Helm,	McNally,	Stimmel,
Cauley,	Henzel,	Meholchick,	Stiteler,
Cianfrani,	Hocker,	Merry,	Stone,
Cioffi,	Holl,	Miller,	Strausser,
Clarke,	Holliday,	Mills,	Sullivan, J. A.,
Cooley,	Holman,	Monroe,	Sullivan, T. F.,
Crossin,	Horst,	Morley,	Taylor,
Davis,	Irvis,	Mullen,	Thompson,
Dengler,	Isaacs,	Munley,	Tomascik,
Dennison,	Jenkins,	Murphy,	Tompkins,
Donaldson,	Jim,	Murray,	Trusio,
Dougherty,	Johnson, A. W.,	Musto,	Ujobai,
Doughten,	Johnson, R. P.,	Needham,	Varner,
Down,	Jones,	O'Dell,	Verona,
Edwards,	Kamyk,	O'Donnell, J. A.,	Wall,
Ellberg,	Kelser,	O'Donnell, J. P.,	Wargo,
Elvey,	Kelly,	Odorisio,	Weidner,
Esler,	Kernaghan,	Ogilvie,	Welsh,
Ewing,	Kessler,	Parlante,	Wescott,
Farabaugh,	King,	Pashley,	Whittaker,
Fetterolf,	Kistler,	Perry,	Willard,
Filo,	Klein,	Petrosky,	Willaredt,
Fineman,	Knecht,	Piper,	Williams, A. D.,
Flynn,	Kooker,	Polaski,	Williams, E. S.,
Foerster,	Kornick,	Polen,	Wilt,
Foor,	Korns,	Prendergast,	Wood,
Fox,	Kramer,	Price,	Worley,
Frascella,	Lamb,	Pursley,	Wynd,
Fry,	Lawson,	Reibman,	Yetter,
Fulmer,	Lee, A. M.,	Reidenbach,	Zember,
Galley,	Lee, K. B.,	Renwick,	Zimmerman,
Gallagher,	Leonard,	Riley,	Andrews,
Gelfand,	Limper,		Speaker

NAYS—0

NOT VOTING—8

Blair,	Curwood,	Eshleman,	Mihm,
Comer,	Eshback,	Heavey,	Walsh,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

BILLS ON FINAL PASSAGE POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on final passage of House bill No. 769, entitled:

An Act making an appropriation to the Department of Military Affairs for the payment of services of the Civil Air Patrol.

On the question,

Shall the bill pass finally?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. McCormack.

Mr. McCORMACK. Mr. Speaker, I asked for recognition before the vote was taken, but that's all right. I wanted to inquire whether or not this was the bill that was previously defeated when the minority side decided not to give any votes until we had a reapportionment bill? I was wondering whether or not we do have a reapportionment bill now.

The SPEAKER pro tempore. For the information of the gentleman, this has now been classed as a preferred appropriation.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Adams,	Gallagher,	Lee, K. B.,	Rovansek,
Anderson, J. H.,	Gelfand,	Leonard,	Royer,
Anderson, S. A.,	George,	Limper,	Rubin,
Arlene,	Gibb,	Lippincott,	Rudisill,
Ashton,	Gibbons,	Long, Wm. Jos.,	Rutherford,
Auker,	Goldstein, J. H.,	Lutty,	Sakulsky,
Bachman,	Goldstein, M. H.,	Magee,	Scarcelli,
Backenstoe,	Goodrich,	Manbeck,	Schaaf,
Blair,	Gramlich,	Markley,	Schuster,
Bonner,	Gray,	Marsh,	Seltzer,
Bossert,	Greenlee,	Maxwell,	Shelton,
Bower,	Gremminger,	May,	Sherman,
Bowman,	Gross,	McCandless,	Shupnik,
Branca,	Guesman,	McCann,	Simmons,
Breth,	Guthrie,	McCormack,	Slack,
Buchanan,	Hamilton,	McDevitt,	Snare,
Bush,	Hankins,	McDonald,	Stank,
Capano,	Hartley,	McInroy,	Steckel,
Capitolo,	Haudenshield,	McKeever,	Stimmel,
Cauley,	Heavey,	McLaughlin,	Stiteler,
Cianfrani,	Heffner,	McNally,	Stone,
Cioffi,	Helm,	Meholchick,	Strausser,
Clarke,	Henzel,	Merry,	Sullivan, J. A.,
Comer,	Hocker,	Miller,	Sullivan, T. F.,
Cooley,	Holl,	Mills,	Taylor,
Crossin,	Holliday,	Monroe,	Thompson,
Davis,	Holman,	Morley,	Tomascik,
Dengler,	Horst,	Mullen,	Tompkins,
Dennison,	Irvis,	Munley,	Trusio,
Donaldson,	Isaacs,	Murphy,	Ujobai,
Dougherty,	Jenkins,	Musto,	Varner,
Doughten,	Jim,	O'Dell,	Verona,
Down,	Johnson, A. W.,	O'Donnell, J. A.,	Wall,
Edwards,	Johnson, R. P.,	O'Donnell, J. P.,	Wargo,
Ellberg,	Jones,	Odorisio,	Weidner,
Elvey,	Kamyk,	Ogilvie,	Welsh,
Eshback,	Kelser,	Parlante,	Wescott,
Esler,	Kelly,	Pashley,	Whittaker,
Ewing,	Kernaghan,	Perry,	Willard,
Farabaugh,	Kessler,	Petrosky,	Willaredt,
Fetterolf,	King,	Piper,	Williams, A. D.,
Filo,	Kistler,	Polaski,	Williams, E. S.,
Fineman,	Klein,	Polen,	Wilt,
Flynn,	Knecht,	Prendergast,	Wood,
Foerster,	Kooker,	Price,	Worley,
Foor,	Kornick,	Pursley,	Wynd,
Fox,	Korns,	Reibman,	Yetter,
Frascella,	Kramer,	Reidenbach,	Zember,
Fry,	Lamb,	Renwick,	Zimmerman,
Fulmer,	Lawson,	Riley,	Andrews,
Galley,	Lee, A. M.,		Speaker

NAYS—0

NOT VOTING—8

Boies,	Eshleman,	Mihm,	Needham,
Curwood,	Long, Wm. Jas.,	Murray,	Walsh,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

APPROPRIATION BILLS ON THIRD READING (NON-PREFERRED)

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1194, entitled:

An Act making an appropriation to the Department of Military Affairs for certain capital improvements in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—198

Adams,	Gelfand,	Leonard,	Rovansek,
Anderson, J. H.,	George,	Limper,	Royer,
Anderson, S. A.,	Gibb,	Lippincott,	Rubin,
Arlene,	Gibbons,	Long, Wm. Jas.,	Rudisill,
Ashton,	Goldstein, J. H.,	Long, Wm. Jos.,	Rutherford,
Auker,	Goldstein, M. H.,	Lutty,	Sakulsky,
Bachman,	Goodrich,	Magee,	Schaaf,
Backenstoe,	Gramlich,	Manbeck,	Schuster,
Blair,	Gray,	Markley,	Seltzer,
Bonner,	Greenlee,	Marsh,	Shelton,
Bossert,	Gremminger,	Maxwell,	Sherman,
Bower,	Gross,	May,	Shupnik,
Bowman,	Guesman,	McCandless,	Simmons,
Branca,	Guthrie,	McCann,	Slack,
Breth,	Hamilton,	McCormack,	Snare,
Buchanan,	Hankins,	McDonald,	Stank,
Bush,	Hartley,	McInroy,	Steckel,
Capano,	Haudenshield,	McKeever,	Stimmel,
Capitolo,	Heavey,	McLaughlin,	Stiteler,
Cauley,	Heffner,	Stone,	Strausser,
Cianfrani,	Helm,	Meholchick,	Sullivan, J. A.,
Cioffi,	Henzel,	Merry,	Sullivan, T. F.,
Clarke,	Hocker,	Miller,	Taylor,
Comer,	Holliday,	Mills,	Thompson,
Cooley,	Holman,	Monroe,	Tomasck,
Crossin,	Horst,	Morley,	Tompkins,
Davis,	Irvis,	Mullen,	Trusio,
Dengler,	Isaacs,	Munley,	Ujobal,
Dennison,	Jenkins,	Musto,	Varnier,
Donaldson,	Jim,	Needham,	Verona,
Dougherty,	Johnson, A. W.,	O'Dell,	Wall,
Doughten,	Johnson, R. P.,	O'Donnell, J. A.,	Wargo,
Down,	Jones,	O'Donnell, J. P.,	Weidner,
Edwards,	Kamyk,	Odoriso,	Welsh,
Ellberg,	Kelser,	Ogilvie,	Wescott,
Elvey,	Kelly,	Parlante,	Whittaker,
Esler,	Kernaghan,	Pashley,	Willard,
Ewing,	Kessler,	Perry,	Willard,
Fetterolf,	King,	Petrosky,	Williams, A. D.,
Filo,	Kistler,	Piper,	Williams, E. S.,
Fineman,	Klein,	Polaski,	Wilt,
Flynn,	Knecht,	Polen,	Wood,
Foerster,	Kooker,	Prendergast,	Worley,
Foor,	Kornick,	Price,	Yetter,
Fox,	Korns,	Pursley,	Wynd,
Frascella,	Kramer,	Reibman,	Zember,
Fry,	Lamb,	Reidenbach,	Zimmerman,
Fulmer,	Lawson,	Renwick,	Andrews,
Galley,	Lee, A. M.,	Riley,	Speaker
Gallagher,	Lee, H. B.,		

NAYS—1

Murphy,

NOT VOTING—11

Boies,	Eshleman,	McDevitt,	Scarcelli,
Curwood,	Farabaugh,	Mihm,	Walsh,
Eshback,	Holl,	Murray,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House bill No. 771, printer's No. 844, and

House bill No. 722, printer's No. 845

were passed over at the request of Mr. McCANN.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1196, entitled:

An Act making appropriations to the Department of Public Welfare for certain capital improvements in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Adams,	Gelfand,	Leonard,	Riley,
Anderson, J. H.,	George,	Limper,	Rovansek,
Anderson, S. A.,	Gibb,	Lippincott,	Royer,
Arlene,	Gibbons,	Long, Wm. Jas.,	Rubin,
Ashton,	Goldstein, J. H.,	Long, Wm. Jos.,	Rudisill,
Auker,	Goldstein, M. H.,	Lutty,	Rutherford,
Bachman,	Goodrich,	Magee,	Sakulsky,
Backenstoe,	Gramlich,	Manbeck,	Scarcelli,
Blair,	Gray,	Markley,	Schaaf,
Boies,	Greenlee,	Marsh,	Schuster,
Bonner,	Gremminger,	Maxwell,	Seltzer,
Bossert,	Gross,	May,	Shelton,
Bower,	Guesman,	McCandless,	Sherman,
Bowman,	Guthrie,	McCann,	Shupnik,
Branca,	Hamilton,	McCormack,	Simmons,
Breth,	Hankins,	McDevitt,	Slack,
Buchanan,	Hartley,	McDonald,	Snare,
Bush,	Haudenshield,	McInroy,	Stank,
Capano,	Heavey,	McKeever,	Steckel,
Capitolo,	Heffner,	McLaughlin,	Stimmel,
Cauley,	Helm,	Meholchick,	Stiteler,
Cianfrani,	Henzel,	Merry,	Stone,
Cioffi,	Hooker,	Miller,	Strausser,
Clarke,	Holl,	Mills,	Sullivan, J. A.,
Comer,	Holliday,	Monroe,	Sullivan, T. F.,
Cooley,	Holman,	Morley,	Taylor,
Crossin,	Horst,	Mullen,	Thompson,
Davis,	Irvis,	Munley,	Tomasck,
Dengler,	Isaacs,	Murphy,	Tompkins,
Dennison,	Jenkins,	Murray,	Trusio,
Donaldson,	Jim,	Murphy,	Ujobal,
Dougherty,	Johnson, A. W.,	Murray,	Varnier,
Doughten,	Johnson, R. P.,	Needham,	Verona,
Down,	Jones,	O'Dell,	Wall,
Edwards,	Kamyk,	O'Donnell, J. A.,	Wargo,
Ellberg,	Kelser,	O'Donnell, J. P.,	Weidner,
Elvey,	Kelly,	Odoriso,	Welsh,
Esler,	Kernaghan,	Ogilvie,	Wescott,
Ewing,	Kessler,	Parlante,	Whittaker,
Farabaugh,	King,	Pashley,	Willard,

Fetterolf, Filo, Fineman, Flynn, Foerster, Foor, Fox, Frascella, Fry, Fulmer, Galley, Gallagher,	Kistler, Klein, Knecht, Kooker, Kornick, Korns, Kramer, Lamb, Lawson, Lee, A. M., Lee, K. B.,	Perry, Petrosky, Piper, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick,	Willaredt, Williams, A. D., Williams, E. S., Wilt, Wood, Worley, Wynd, Yetter, Zember, Zimmerman, Andrews, Speaker
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NAYS—0

NOT VOTING—5

Curwood, Eshback,	Eshleman,	Mihm,	Walsh,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 802, entitled:

An Act making an appropriation to the Department of Public Welfare for payment of grants to political subdivisions for juvenile delinquency programs.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—197

Adams, Anderson, J. H., Anderson, S. A., Arlene, Auker, Ashton, Bachman, Backenstoe, Blair, Boles, Bonner, Bossert, Bower, Bowman, Branca, Breth, Buchanan, Bush, Capano, Capitolo, Cauley, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Davis, Dengler, Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Eilberg, Elvey, Eshback, Esler, Ewing, Farabaugh,	Fry, Fulmer, Galley, Gallagher, Gelfand, George, Gibb, Gibbons, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Gray, Greenlee, Gremminger, Gross, Guesman, Guthrie, Hamilton, Hankins, Hartley, Haudenshield, Heavey, Heffner, Helm, Henzel, Holl, Holman, Horst, Irviss, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kelser, Kelly, Kernaghan, Kessler,	Lawson, Lee, A. M., Lee, K. B., Leonard, Limper, Lippincott, Long, Wm. Jas., Long, Wm. Jos., Lutty, Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McCormack, McDevitt, McDonald, McInroy, McKeever, McLaughlin, McNally, Meholchick, Merry, Miller, Mills, Monroe, Morley, Mullen, Munley, Murphy, Murray, Musto, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Ogilvie, Parlante,	Pursley, Reibman, Reidenbach, Renwick, Riley, Rovanseck, Royer, Rubin, Rudisill, Rutherford, Sakulsky, Scarcelli, Schaaf, Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Slack, Snare, Stank, Steckel, Stimmel, Stone, Strausser, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomascik, Trusio, Ujobal, Varner, Verona, Wall, Wargo, Weidner, Welsh, Wescott, Willard,
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Fetterolf, Filo, Fineman, Flynn, Foerster, Foor, Fox, Frascella,	King, Kistler, Klein, Knecht, Kooker, Kornick, Kramer, Lamb,	Pashley, Perry, Petrosky, Piper, Polaski, Polen, Prendergast, Price,	Williams, A. D., Williams, E. S., Wilt, Wood, Worley, Yetter, Wynd, Zember, Zimmerman,
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NAYS—7

Hocker, Korns,	Magee, Stiteler,	Tompkins, Whittaker,	Andrews, Speaker
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NOT VOTING—6

Curwood, Eshleman,	Holliday, Mihm,	Walsh,	Willaredt,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

APPROPRIATION BILL IN FINAL PASSAGE (NON-PREFERRED)

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 799, entitled:

An Act making an appropriation to the Department of Public Welfare for payment of grants to political subdivisions for services for the aging and making an additional appropriation of moneys received for such purposes.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Adams, Anderson, J. H., Anderson, S. A., Arlene, Ashton, Auker, Bachman, Backenstoe, Blair, Boles, Bonner, Bossert, Bower, Bowman, Branca, Breth, Buchanan, Bush, Capano, Capitolo, Cauley, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Davis, Dengler, Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Eilberg, Elvey, Eshback, Esler, Ewing,	Galley, Gallagher, Gelfand, George, Gibb, Gibbons, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Gray, Greenlee, Gremminger, Gross, Guesman, Guthrie, Hamilton, Hankins, Hartley, Haudenshield, Heavey, Heffner, Helm, Henzel, Hocker, Holl, Holman, Horst, Irviss, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kelser, Kelly, Kernaghan, Kessler,	Lee, K. B., Leonard, Limper, George, Lippincott, Long, Wm. Jas., Long, Wm. Jos., Lutty, Manbeck, Markley, Marsh, Maxwell, McCandless, McCann, McCormack, McDevitt, McDonald, McInroy, McKeever, McLaughlin, Meholchick, Merry, Miller, Mills, Monroe, Morley, Mullen, Munley, Murphy, Murray, Musto, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odoriso, Ogilvie, Parlante, Pashley, Perry, Petrosky,	Rovanseck, Royer, Rubin, Rudisill, Rutherford, Sakulsky, Scarcelli, Schaaf, Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Slack, Snare, Stank, Steckel, Stimmel, Stiteler, Stone, Strausser, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomascik, Tompkins, Trusio, Ujobal, Varner, Verona, Wall, Wargo, Weidner, Welsh, Wescott, Whittaker, Willard, Willaredt,
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Farabaugh, Fetterolf, Filo, Fineman, Flynn, Foerster, Foor, Fox, Frascella, Fry, Fulmer,	King, Kistler, Klein, Knecht, Kooker, Kornick, Korns, Kramer, Lamb, Lawson, Lee, A. M.,	Piper, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick, Riley,	Williams, A. D., Williams, E. S., Wilt, Wood, Worley, Wynd, Yetter, Zember, Zimmerman, Andrews, Speaker
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NAYS—0

NOT VOTING—8

Curwood, Eshleman,	Holliday, Magee,	May, McNally,	Mihm, Walsh,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

APPROPRIATION BILLS ON THIRD READING (NON-PREFERRED)

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 805, entitled:

An Act making an appropriation for the maintenance repair and improvement of the Port of Philadelphia.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—187

Anderson, J. H. Anderson, S. A., Arlene, Ashton, Bachman, Backenstoe, Blair, Boles, Bonner, Bossert, Bower, Bowman, Branca, Breth, Buchanan, Bush, Capano, Capitolo, Cauley, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Davis, Dengler, Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Elberg, Elvey, Eshback, Esler, Ewing, Fetterolf, Filo,	Galley, Gallagher, Gelfand, Gibb, Gibbons, Goldstein, M. H., Goodrich, Gramlich, Gray, Greenlee, Gremminger, Gross, Guesman, Guthrie, Hamilton, Hankins, Hartley, Heavey, Heffner, Helm, Henzel, Hocker, Comer, Cooley, Crossin, Davis, Dengler, Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Elberg, Elvey, Eshback, Esler, Ewing, Fetterolf, Filo,	Leonard, Limper, Lippincott, Long, Wm. Jas., Long, Wm. Jos., Lutty, Magee, Manbeck, Markley, Marsh, May, McCann, McCormack, McDevitt, McDonald, McInroy, McKeever, McLaughlin, McNally, Meholchick, Merry, Miller, Mills, Monroe, Morley, Mullen, Munley, Murray, Musto, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, Parlante, Pashley, Perry, Petrosky, Piper,	Riley, Rovansek, Royer, Rubin, Rudisill, Sakulsky, Scarcelli, Schaaf, Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Slack, Snare, Stank, Steckel, Stimmel, Stone, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomascik, Trusio, Ujobal, Varner, Verona, Wall, Wargo, Weidner, Welsh, Wescott, Whittaker, Willard, Willaredt, Williams, A. D., Williams, E. S., Wilt,
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Fineman, Flynn, Foerster, Fox, Frascella, Fry, Fulmer,	Kooker, Kornick, Kramer, Lamb, Lawson, Lee, A. M., Lee, K. B.,	Polaski, Polen, Prendergast, Pursley, Reibman, Reidenbach, Renwick,	Wood, Worley, Wynd, Yetter, Zimmerman, Andrews, Speaker
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NAYS—13

Adams, Auker, Foor, Holl,	Horst, Korns, McCandless,	Murphy, Price, Rutherford,	Stiteler, Tompkins, Zember,
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NOT VOTING—10

Curwood, Eshleman, Farabaugh,	George, Goldstein, J. H., Haudenshield,	Maxwell, Mihm,	Strausser, Walsh,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Mr. J. H. GOLDSTEIN. Mr. Speaker, had I voted on that bill, I would have voted "aye."

The SPEAKER pro tempore. The remarks of the gentleman will be spread upon the record.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 806, entitled:

An Act making an appropriation to the City of Harrisburg Pennsylvania.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Cambria, Mr. Farabaugh.

Mr. FARABAUGH. Mr. Speaker, I would like to know what the amount of this appropriation is.

Mr. McCANN. Mr. Speaker, House bill 806 appropriates \$2,500 to the city of Harrisburg, Pennsylvania.

Mr. FARABAUGH. What for?

Mr. McCANN. For the fire companies of the city of Harrisburg.

Mr. FARABAUGH. Mr. Speaker, I would like to interrogate the sponsor of this bill.

The SPEAKER pro tempore. Will the gentleman from Washington permit himself to be interrogated?

Mr. POLEN. I shall, Mr. Speaker.

Mr. FARABAUGH. Mr. Speaker, is this bill considered a preferred appropriation?

Mr. POLEN. Mr. Speaker, this bill is a non-preferred appropriation, but only requires a constitutional majority. There are two classes of non-preferred. The other non-preferred appropriations are those which the constitution says are limited to educational and charitable institutions. They require a two-thirds majority. This bill falls in the category of the non-preferred that requires a constitutional majority.

Mr. FARABAUGH. A further question, Mr. Speaker. If I understand the gentleman right, he said that this appropriation was for the volunteer fire companies, is that correct?

Mr. POLEN. For the Harrisburg fire companies. The appropriation is to the city of Harrisburg for use of the fire companies.

Mr. FARABAUGH. I thank the gentleman, Mr. Speaker. Ladies and gentlemen of the House, this is a bill similar to one we have had in the House in years past. Some of you who have been here have seen this occur before. My opinion is that this is a very unjust, unnecessary appropriation. Several years back when we debated a similar bill in the House, there were amendments to that bill to get money for every volunteer fire company throughout this Commonwealth which is protecting State institutions, where there are many lives at stake and where volunteer firemen are contributing a lot of effort for the protection of those people, and it has always been denied. Here is money appropriated time after time to give to the Harrisburg fire companies to protect buildings, not people, just buildings, while other districts throughout this Commonwealth are deprived of the same help, where they are much more in need of it than they are in this city. This is a very unjust type of legislation. There is no call for it. It has been done here before but this is not used for the real necessary use of the fire companies, but for other uses and it is wrong. With the shortage of money there seems to be here for necessary use that must be provided for schools and otherwise, I would like to know why we should be asked to vote for a bill like this, to hand somebody \$2,500 that they should never get.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Dauphin, Mr. Bowman.

Mr. BOWMAN. Mr. Speaker, I regret the remarks of the gentleman that this money is used for other purposes. He is misinformed. I think he is completely misinformed as to the tremendous responsibility placed upon the fire department of the city of Harrisburg with respect to the very large congregation of capitol buildings and the people employed in and using the capitol buildings. No other area, whether it be Pittsburgh, Philadelphia or a rural area, has anything comparable to the concentration of capitol buildings and the number of people employed than has the city of Harrisburg. The city of Harrisburg cooperates very closely with the Department of Property and Supplies with respect to the inspection of buildings, and this money is always used for the replacement of fire equipment or fire trucks. So, I take strong exception to the remarks of the gentleman in that field, I think it is a very, very worthy, important and necessary appropriation and I am only sorry that it is not much more.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Cambria, Mr. Farabaugh.

Mr. FARABAUGH. Mr. Speaker, some of those things may be true but the same applies to many other districts throughout this Commonwealth, where in most cases they are taking care of the buildings of the Commonwealth and the people within those buildings are protected by volunteer fire companies which receive no appropriation from the State.

So far as the statement I made is concerned, I received that information from a member of this House, one of your own party. I did not make it up myself.

The SPEAKER pro tempore. The Chair recognizes the majority leader, Mr. McCann.

Mr. McCANN. Mr. Speaker, I realize the situation and I can only sympathize because I, too, one time voted with

certain members of this House to try to get appropriations for, I think, it was the Cresson Fire Company, and I cannot recall what others there were. But I ask the membership on this side of the aisle to vote "aye" on the appropriation contained in this bill for the fire companies.

The SPEAKER pro tempore. The Chair recognizes the Speaker of the House.

Mr. ANDREWS. It might interest you to know that this particular bill has a historic background. I was a member of the group several years ago when all the appropriation bills were voted upon and, at the end of the session with only 12 or 15 members in the House, this particular bill came up and they would not pass the Cresson bill. So we tied them up until they passed the Cresson bill, tied them up tightly. We said we would have a call of the House and we would bring the absent members back and they passed the Cresson bill. Then you know what happened? The Governor vetoed it.

The SPEAKER pro tempore. Does the gentleman from Cambria, Mr. Farabaugh, wish to be recognized again.

Mr. FARABAUGH. I would just like to add a little to what has been said. This was not only Cresson that was asking for money during that period. It was Blair County and there were several other counties that had amendments in that bill. And why in the name of common sense should any Governor—Governor Fine did and Governor Leader also did—veto ours and give \$5,000 to Harrisburg, I would like somebody to tell me a good reason for it.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—181

Adams,	Galley,	Kramer,	Riley,
Anderson, J. H.,	Lamb,	Lamb,	Rubin,
Anderson, S. A.,	Gallagher,	Lawson,	Rudisill,
Arlene,	Gelfand,	Lee, A. M.,	Rutherford,
Auker,	George,	Lee, K. B.,	Scarcell,
Ashton,	Gibb,	Leonard,	Schaaf,
Bachman,	Gibbons,	Limper,	Schuster,
Backenstoe,	Goldstein, J. H.,	Lippincott,	Seltzer,
Blair,	Goldstein, M. H.,	Long, Wm. Jas.,	Shelton,
Boles,	Goodrich,	Long, Wm. Jos.,	Sherman,
Bonner,	Gramlich,	Lutty,	Shupnik,
Bossert,	Gray,	Manbeck,	Simmons,
Bower,	Greenlee,	Markley,	Slack,
Bowman,	Gremminger,	Marsh,	Snare,
Branca,	Gross,	May,	Stank,
Breth,	Guesman,	McCandless,	Steckel,
Buchanan,	Guthrie,	McCann,	Stimmel,
Bush,	Hamilton,	McDevitt,	Stiteler,
Capitolo,	Hankins,	McDonald,	Stone,
Cauley,	Hartley,	McInroy,	Strausser,
Cianfrani,	Heavey,	McKeever,	Sullivan, J. A.,
Cioffi,	Heffner,	McLaughlin,	Sullivan, T. F.,
Clarke,	Helm,	Meholchick,	Taylor,
Comer,	Hocker,	Miller,	Thompson,
Cooley,	Holliday,	Monroe,	Tomasek,
Crossin,	Holman,	Morley,	Tompkins,
Davis,	Horst,	Mullen,	Trusio,
Dengler,	Irvis,	Munley,	Ujobal,
Dennison,	Isaacs,	Murray,	Varner,
Donaldson,	Jenkins,	Musto,	Verona,
Doughten,	Jim,	Needham,	Wall,
Down,	Johnson, A. W.,	O'Dell,	Wargo,
Edwards,	Johnson, R. P.,	O'Donnell, J. A.,	Weldner,
Ellberg,	Jones,	Odorisio,	Welsh,
Elvey,	Kamyk,	Ogilvie,	Wescott,
Esler,	Kelser,	Parlante,	Whittaker,
Ewing,	Kelly,	Pashley,	Willard,
Fetterolf,	Kernaghan,	Perry,	Willaredt,
Filo,	Kessler,	Piper,	Williams, A. D.,
Fineman,	King,	Polaski,	Williams, E. S.,
Flynn,	Kistler,	Polen,	Wood,
	Klein,		

Foor,
Fox,
Frascella,
Fry,
Fulmer,

Knecht,
Kooker,
Kornick,
Korns,

Price,
Pursley,
Reibman,
Reidenbach,

Worley,
Wynd,
Zember,
Zimmerman,

NAYS—18

Capano,
Farabaugh,
Foerster,
Henzel,
Holl,

Magee,
Maxwell,
McNally,
Merry,
Mills,

Murphy,
O'Donnell, J. P.,
Prendergast,
Renwick,

Rovansek,
Sakulsky,
Yetter,
Andrews,
Speaker

NOT VOTING—11

Curwood,
Dougherty,
Eshback,

Eshleman,
Haudenshield,
McCormack,

Mihm,
Petrosky,
Royer,

Walsh,
Wilt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1198, entitled:

An Act making appropriations to the Department of Forests and Waters for certain capital improvements in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constituion the yeas and nays were taken and were as follows:

YEAS—197

Adams,
Anderson, J. H.,
Anderson, S. A.,
Arlene,
Bachman,
Backenstoe,
Blair,
Boles,
Bonner,
Bossert,
Bower,
Bowman,
Branca,
Breth,
Buchanan,
Bush,
Capano,
Capitolo,
Cauley,
Cianfrani,
Cloff,
Clarke,
Comer,
Cooley,
Crossin,
Davis,
Dengler,
Dennison,
Donaldson,
Dougherty,
Doughten,
Down,
Edwards,
Ellberg,
Elvey,
Eshback,
Esler,
Ewing,
Fetterolf,

Gelfand,
George,
Gibb,
Gibbons,
Goldstein, J. H.,
Goldstein, M. H.,
Goodrich,
Gramlich,
Gray,
Greenlee,
Gremminger,
Gross,
Guesman,
Guthrie,
Hamilton,
Hankins,
Hartley,
Haudenshield,
Heavey,
Heffner,
Helm,
Henzel,
Hocker,
Holliday,
Holman,
Horst,
Irlis,
Isaacs,
Jenkins,
Jim,
Johnson, A. W.,
Jones,
Kamyk,
Kelser,
Kelly,
Kernaghan,
Kessler,
King,
Kistler,

Limper,
Lippincott,
Long, Wm. Jas.,
Long, Wm. Jos.,
Lutty,
Magee,
Manbeck,
Markley,
Marsh,
Maxwell,
May,
McCandless,
McCann,
McCormack,
McDevitt,
McDonald,
McInroy,
McKeever,
McLaughlin,
Meholchick,
Merry,
Miller,
Mills,
Monroe,
Morley,
Mullen,
Munley,
Murphy,
Murray,
Musto,
Needham,
O'Dell,
O'Donnell, J. A.,
O'Donnell, J. P.,
Odorisio,
Ogilvie,
Parlante,
Pashley,
Perry,

Riley,
Rovansek,
Royer,
Rubin,
Rudisill,
Rutherford,
Sakulsky,
Scarcelli,
Schaaf,
Schuster,
Seltzer,
Shelton,
Sherman,
Shupnik,
Simmons,
Slack,
Snare,
Stank,
Steckel,
Stimmel,
Stone,
Strausser,
Sullivan, J. A.,
Sullivan, T. F.,
Taylor,
Thompson,
Tomascik,
Tompkins,
Trusio,
Ujobal,
Varner,
Verona,
Wall,
Wargo,
Weldner,
Welsh,
Wescott,
Willard,
Willaredt,

Filo,
Fineman,
Flynn,
Foerster,
Foor,
Fox,
Frascella,
Fry,
Fulmer,
Galley,
Gallagher,

Klein,
Knecht,
Kooker,
Korns,
Kramer,
Lamb,
Lawson,
Lee, A. M.,
Lee, K. B.,
Leonard,

Petrosky,
Piper,
Polaski,
Polen,
Prendergast,
Price,
Pursley,
Reibman,
Reidenbach,
Renwick,

Williams, A. D.,
Williams, E. S.,
Wilt,
Wood,
Worley,
Wynd,
Yetter,
Zember,
Zimmerman,
Andrews,
Speaker

NAYS—6

Ashton,
Auker,

Holl,
Johnson, R. P.,

Stiteler,

Whittaker,

NOT VOTING—7

Curwood,
Eshleman,

Farabaugh,
Kornick,

McNally,
Mihm,

Walsh,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

STATEMENT BY MINORITY LEADER

Mr. A. W. JOHNSON. Mr. Speaker, in our House Republican caucus today, in addition to discussing at length the proposed educational program, several of our members inquired as to the status of reapportionment.

It was pointed out in our caucus that reapportionment is probably one of the most critical, one of the most important, issues facing this session of the General Assembly. The members on this side of the House cannot understand the unreasonable delay in getting out a fair and reasonable reapportionment bill. They are disappointed because this week the Democratic State Chairman promised that they would have a plan and it would be introduced in either the House or the Senate this week.

I understand the Senate has gone home and it was not put in the Senate. Now this delay we feel is unreasonable, unnecessary, unexplained, and everybody, of course, would like to end this legislative session, we would like to adjourn sine die, but it is impossible in the eyes of the people of Pennsylvania for us to leave the halls of this House without passing a fair and reasonable reapportionment bill, that both sides give and take.

Now I think it is time that the leaders of both parties, they are the people involved, sit down and reestablish the committee that Mr. McCann set up early this spring, sit down and immediately work out a reapportionment bill to the end that the people of this State will know who their Congressmen are, so that we can talk about adjournment sine die. We cannot talk about adjournment sine die as long as we have reapportionment hanging over our heads.

I know someone said, let us do it in January. Well, that means that the gentlemen would be campaigning in certain counties in the fall and winter months and they might end up being in an entirely different county. It is not fair to prospective candidates.

Therefore, we call upon the Democratic Party, the party in power, to bring out a reapportionment bill. Let us sit down with you and work it out to the end that we do the job that the Constitution of Pennsylvania and the Nation Constitution places upon us.

BILLS ON FINAL PASSAGE POSTPONED

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1487, entitled:

An Act amending the "Real Estate Brokers License Act of one thousand nine hundred and twenty-nine" approved May 1, 1929 (P. L. 1216), changing the educational and training requirements for licensure changing the place of hearing specifying the nature and weight to be given to the report of a representative appointed by the Commission to hold hearings in connection with any of its disciplinary proceedings providing for the taking of testimony and bringing auctioneers within the provisions of the act.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—129

Anderson, S. A.,	Fry,	Lamb,	Polaski,
Arlene,	Galley,	Lawson,	Polen,
Ashton,	Gallagher,	Lee, A. M.,	Prendergast,
Bachman,	Gibb,	Leonard,	Renwick,
Backenstoe,	Gibbons,	Limper,	Riley,
Blair,	Goldstein, J. H.,	Long, Wm. Jas.,	Rovansek,
Boies,	Gramlich,	Long, Wm. Jos.,	Rubin,
Bonner,	Gray,	Lutty,	Sakulsky,
Bowman,	Greenlee,	Manbeck,	Scarcelli,
Branca,	Gremmlinger,	Markley,	Schaaf,
Breth,	Guesman,	Maxwell,	Schuster,
Capano,	Guthrie,	McCann,	Seltzer,
Capitolo,	Hankins,	McDevitt,	Shelton,
Cianfrani,	Hartley,	McDonald,	Sherman,
Cioffi,	Heavey,	McInroy,	Slack,
Clarke,	Heffner,	McKeever,	Snare,
Comer,	Helm,	McLaughlin,	Stank,
Cooley,	Hocker,	McNally,	Steckel,
Crossin,	Irviss,	Meholchick,	Stimmel,
Davis,	Isaacs,	Merry,	Stone,
Dengler,	Jim,	Mills,	Strausser,
Donaldson,	Johnson, A. W.,	Monroe,	Thompson,
Doughten,	Jones,	Morley,	Tomasick,
Down,	Kamyk,	Mullen,	Tompkins,
Ellberg,	Keiser,	Murray,	Truslo,
Elvey,	Kelly,	Musto,	Ujobai,
Eshback,	Kernaghan,	O'Dell,	Varner,
Esler,	King,	O'Donnell, J. P.,	Verona,
Farabaugh,	Klein,	Odorisio,	Welsh,
Filo,	Kooker,	Ogilvie,	Willard,
Fineman,	Kornick,	Parlante,	Yetter,
Flynn,	Kramer,	Perry,	Zimmerman,

NAYS—69

Adams,	Gross,	McCormack,	Sullivan, J. A.,
Anderson, J. H.,	Hamilton,	Miller,	Sullivan, T. F.,
Auker,	Henzel,	Munley,	Taylor,
Bassert,	Holl,	Murphy,	Wall,
Bower,	Holliday,	Needham,	Wargo,
Buchanan,	Holman,	O'Donnell, J. A.,	Weldner,
Bush,	Johnson, R. P.,	Pashley,	Wescott,
Cauley,	Kessler,	Piper,	Whittaker,
Dennison,	Kistler,	Price,	Willaredt,
Ewing,	Knecht,	Pursley,	Williams, A. D.,
Fetterolf,	Korns,	Reibman,	Williams, E. S.,
Foerster,	Lee, K. B.,	Reidenbach,	Wilt,
Foor,	Lippincott,	Rudisill,	Wood,
Fox,	Magee,	Rutherford,	Worley,
Fulmer,	Marsh,	Shupnik,	Wynd,
Gelfand,	May,	Simmons,	Zember,
Goldstein, M. H.,	McCandless,	Stiteler,	Andrews,
Goodrich,			Speaker

NOT VOTING—12

Curwood,	Eshleman,	Horst,	Petrosky,
Dougherty,	George,	Jenkins,	Royer,
Edwards,	Haudenshield,	Mihm,	Walsh,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

The SPEAKER pro tempore. For what purpose does the gentleman from Philadelphia, Mr. Dougherty, rise?

ADJOURNMENT

Mr. DOUGHERTY. Mr. Speaker, it is long past my meal time and I make a motion that this House now adjourn until tomorrow, Thursday, at 10 a.m.

The SPEAKER pro tempore. The gentleman's motion is in order. The Chair will take the consensus of the House by asking that a roll call vote be taken.

On the question,

Will the House agree to the motion?

Mr. A. W. JOHNSON. Mr. Speaker, I would like to ask the members on our side of the House to vote "no" on this motion.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Cambria, Mr. Rovansek. For what purpose does the gentleman rise?

PARLIAMENTARY INQUIRY

Mr. ROVANSEK. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. ROVANSEK. Is a motion to adjourn in order if it is not seconded?

The SPEAKER pro tempore. A motion to adjourn is always in order.

Mr. ROVANSEK. Without a second?

The SPEAKER pro tempore. It does not require a second.

Mr. ROVANSEK. Thank you.

The SPEAKER pro tempore. The Chair recognizes the minority leader.

Mr. A. W. JOHNSON. Mr. Speaker, to what extent can you comment on the motion or debate the motion or interrogate about the motion?

The SPEAKER pro tempore. The minority leader has the right to debate the motion for two minutes. That privilege is also extended to the majority leader.

The Chair recognizes the gentleman from McKean, Mr. Johnson.

Mr. A. W. JOHNSON. Mr. Speaker, so the members on this side of the House will know the real reason for the motion, we have been pushing all day for the purpose of having Senate bill 104 called up and we were planning if it were not called to make it a special order of business. Mr. Dougherty made a motion for reasons he explained, which may or may not be the real reason. I think the people of Pennsylvania know why he made the motion, but I am telling you why the motion was made. It is made to forestall any action today on Senate bill 104. Therefore, I am asking the members on this side of the House to vote "no" on the motion.

The SPEAKER pro tempore. The gentleman from Philadelphia cannot be recognized. The motion is not debatable.

Mr. DOUGHERTY. I am not going to debate the motion; I will just give my reason.

The SPEAKER pro tempore. The Chair feels the gentleman will be debating the motion if he gives his reasons.

Mr. DOUGHERTY. No, no, I just wanted to answer Mr. Johnson.

The SPEAKER pro tempore. The Chair will recognize the gentleman, without objection.

Mr. DOUGHERTY. Mr. Speaker, I want to be fair and I do not want to have any crying towels around, but it is past my meal time and I am not feeling so good and, as I said to Mr. Williams from Bucks County some time ago, if this thing continues until 10 or 11 or 12 o'clock I may wind up where I was a short time ago. That is the reason I made the motion, not to—

Mr. A. W. JOHNSON. The gentleman could ask for a leave of absence.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Messrs. DOUGHERTY and A. W. JOHNSON and were as follows:

YEAS—103

Anderson, S. A.,	Gray,	Long, Wm. Jas.,	Prendergast,
Arlene,	Greenlee,	Long, Wm. Jos.,	Reibman,
Boles,	Gremminger,	Lutty,	Reidenbach,
Branca,	Guesman,	Maxwell,	Renwick,
Breth,	Hamilton,	McCann,	Riley,
Capitolo,	Hankins,	McCormack,	Rubin,
Cauley,	Hartley,	McDonald,	Rudisill,
Cianfrani,	Heavey,	McKeever,	Sakulsky,
Clarke,	Hocker,	McLaughlin,	Scarcelli,
Comer,	Horst,	Meholchick,	Schuster,
Coolley,	Irviss,	Mills,	Shelton,
Crossin,	Isaacs,	Monroe,	Sherman,
Dengler,	Jenkins,	Morley,	Shupnik,
Dougherty,	Jim,	Mullen,	Stank,
Doughten,	Jones,	Munley,	Stone,
Edwards,	Kamyk,	Musto,	Sullivan, J. A.,
Ellberg,	Kelly,	Needham,	Sullivan, T. F.,
Flo,	Kernaghan,	O'Donnell, J. A.,	Taylor,
Fineman,	Klein,	O'Donnell, J. P.,	Verona,
Flynn,	Kornick,	Odoriso,	Wall,

Foerster,
Frascella,
Fry,
Galley,
Gallagher,
Gelfand,

Kramer,
Lamb,
Lawson,
Leonard,
Limper,
Lippincott,

Parlante,
Pashley,
Perry,
Petrosky,
Polaski,
Polen,

Wargo,
Welsh,
Wescott,
Worley,
Yetter,

NAYS—100

Adams,	Foor,	Korns,	Simmons,
Anderson, J. H.,	Fulmer,	Lee, A. M.,	Slack,
Ashton,	George,	Lee, K. B.,	Snare,
Auker,	Gibb,	Magee,	Steckel,
Bachman,	Gibbons,	Manbeck,	Stimmel,
Backenstoe,	Goldstein, J. H.,	Markley,	Stiteler,
Blair,	Goldstein, M. H.,	Marsh,	Strausser,
Bonner,	Goodrich,	May,	Thompson,
Bossert,	Gramlich,	McCandless,	Tomascik,
Bower,	Gross,	McDevitt,	Tompkins,
Bowman,	Guthrie,	McInroy,	Trusio,
Buchanan,	Heffner,	McNally,	Ujobai,
Bush,	Helm,	Merry,	Varner,
Capano,	Henzel,	Miller,	Weidner,
Cloff,	Holl,	Murphy,	Whittaker,
Davis,	Holliday,	Murray,	Willard,
Dennison,	Holman,	O'Dell,	Willaredt,
Donaldson,	Johnson, A. W.,	Ogilvie,	Williams, A. D.,
Down,	Johnson, R. P.,	Piper,	Williams, E. S.,
Elvey,	Keiser,	Price,	Wilt,
Eshback,	Kessler,	Pursley,	Wood,
Esler,	King,	Rovansek,	Wynd,
Ewing,	Kistler,	Rutherford,	Zember,
Farabaugh,	Knecht,	Schaaf,	Zimmerman,
Fetterolf,	Kooker,	Seltzer,	Andrews,

Speaker

NOT VOTING—7

Curwood,	Fox,	Mihm,	Walsh,
Eshleman,	Haudenshield,	Royer,	

So the question was determined in the affirmative and the motion was agreed to, and (at 5:31 p.m., e.s.t.) the House adjourned.

Legislative Journal

Session 1961.

145th of the General Assembly.

Vol. 38.

HARRISBURG, PA., THURSDAY, JULY 13, 1961.

No. 76.

HOUSE OF REPRESENTATIVES

THURSDAY, July 13, 1961

The House met at 10 a.m., e.s.t.

Mr. HELM in the Chair.

PRAYER

The Chaplain, Reverend David H. Hoover, offered the following prayer:

O God, Thou Creator not only of man but of the cosmos of which he is a part, it is with an awareness of our need of Thee and our dependency upon Thee that we bow in Thy presence this morning hour. We thank Thee for the strides which this Nation of ours made yesterday in the exploration of space and the domination of some forces in life. But, we pray that in this rapidly changing society in which we live, we may recognize that with the leadership we assume there also goes the responsibility for all Thy family on earth. And only as we use our knowledge for the greatest good of all, and not our own selfish interest, can we really be acclaimed good stewards for Thee and Thy kingdom. Amen.

JOURNALS APPROVED

The SPEAKER pro tempore. Are there any corrections to the Journals of Wednesday, June 7, Thursday, June 8 and Monday, June 12, 1961? If not, and without objection, the Journals are approved.

JOURNAL APPROVAL POSTPONED

The SPEAKER pro tempore. If there is no objection, the approval of the Journal for Wednesday, July 12, 1961 will be postponed until printed.

The Chair hears none.

QUESTION OF PERSONAL PRIVILEGE

The SPEAKER pro tempore. For what purpose does the gentleman from Perry, Mr. Holman, rise?

Mr. HOLMAN. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER pro tempore. The gentleman will state it.

Mr. HOLMAN. Mr. Speaker, last evening in the Harrisburg Evening News I was reported as being absent when House bill 1028 came up for a final vote.

It is true that I was not in my seat and voting when House bill 1028 was voted upon. However, the reason I was not in my seat is this: I was arranging a very, very important meeting with the Pennsylvania Securities Commission that is of great interest to many of my constituents

in Perry County. Had I been in my seat when House bill 1028 was called to a vote, I would have voted "no."

The SPEAKER pro tempore. The remarks of the gentleman will be spread upon the record of the House

PERMISSION TO ADDRESS HOUSE

Mr. A. W. JOHNSON asked and obtained unanimous consent to address the House.

Mr. Speaker, I feel that, because of the unprecedented action that was taken here in the House last night with the adjourned motion which, of course, adjourned the House and in a way thwarted the will of many in this House with respect to a certain piece of legislation, some comment should be made upon it.

It was stated around here after the motion was made that in the memory of the members here they never recall a motion to adjourn made summarily that way having prevailed and that the House was adjourned in such a fashion. Of course in this session we have had a lot of "firsts," and as I say, I believe some comment should be made upon it.

As far as we in the minority are concerned, this House functions as smoothly as it does by reason of the tremendous camaraderie, the tremendous good faith, good will, cooperation and everything that exists between the minority and the majority. We just could not do business here unless every day we in good faith sat down, the majority leader with the minority leader, to mark our calendars and say, well, we are going to do this today or we are going to do that today.

Yesterday I believe that good faith, that camaraderie, and that good will and cooperation was broken down by the unprecedented and, I think, ill-advised motion to adjourn that was made here last night. It left a lot of hard feelings in the minds of many people, not only members of the House but all over the State. I felt that something was going to take place; I saw the conference over in that corner between the gentleman from Philadelphia and others, and I saw them when they came back and went past the majority leader's desk. I saw Mr. Dougherty get up and I knew that something was going to take place, but I never dreamed it would be a motion to adjourn. I do think it was wrong in view of the huge problem that exists in this State on unemployment, and the big problem that that bill entails for Mr. Dougherty to make the motion, to hide behind his alleged illness as the reason for adjournment, when we all know that the motion was made because behind the big haystack there was somebody with a pitchfork who dictated the motion that was

made here in the General Assembly and shut off all of the progress that we were making.

I think we should go on record as decrying such action as not befitting the dignity of this House. While we in the minority will continue to be cooperative, because that is the only way this House can function, we think we should have been told of this impending motion to adjourn. While it was a sly maneuver I think it detracts from the dignity and decorum of this House.

PERMISSION TO ADDRESS HOUSE

Mr. DOUGHERTY asked and obtained unanimous consent to address the House.

Mr. Speaker, I just want the members of this House to know that nobody under God's sun knew anything about the motion before I made it. I informed Steve McCann that I was going to make it, and he told me not to do it, but I got up there—you noticed I was at the mike and was called away by Steve and I came back again.

In former days when we reached the hour of 6 o'clock I always found the minority leader saying, "When are we going to adjourn and get something to eat?" I knew what tactics were going to take place on this side of the House. It was going to go into midnight or beyond. I spent 72 days looking at hospital ceilings from my hospital bed; I did not want to bring all this out yesterday. I know there are a couple of my good friends on the other side who in the last six months have not been feeling so good. The last night session we went into, I think we had a heart attack and some other ailment when a member on your side collapsed in the elevator. It was in good faith and, because the bill has to be voted on some time or other, I could not see staying here until the early hours of the morning, not only for my own benefit, but as I say, for a few members on the other side who I think appreciate what was done. Thank you.

PERMISSION TO ADDRESS HOUSE

Mr. A. D. WILLIAMS, Jr., asked and obtained unanimous consent to address the House.

Mr. Speaker, for those who think I am going to talk about 40-foot trailers, they can relax.

I have been reading with great interest the reports of the many newspapers of the experiment that is going on in the city of Newburg, New York. I was so interested in what is going on that I wrote to the town council of Newburg to try to obtain as much information as I could on this subject. Having read this over, I would like to make a brief statement.

First, I would like to say that I want to recommend to this House of Representatives the study of the so-called Newburg Plan. This might be characterized as a revolt of the taxpayers of this New York community against the high cost of public relief.

The Newburg Plan, and it has 13 points, which I am certainly not endorsing as such, includes, among others, the following items:

It provides that no able-bodied person can receive relief for more than three months in any one year.

It provides that any able-bodied person who refuses to work while on relief, will be denied relief.

It provides that in the case of unwed mothers, that after the second such birth relief will be denied.

Many papers have come out editorially in favor of this type of action and some very influential papers are against it.

What has impressed me more than anything about the Newburg Plan is that even the prominent New York Times, which has been highly critical of the program, has reported that the sentiment for it in the city of Newburg and elsewhere is running very strong. In fact, one newspaper reported that out of hundreds of people who were interviewed in Newburg itself only three people could be found who indicated any opposition to it. To me this means that the public generally is getting fed up on the increasing costs of relief and other welfare services. When they read stories about loafers and cheaters getting public assistance for an indefinite period of time, their reaction becomes almost violent. We in the Pennsylvania General Assembly have been voting bigger and bigger appropriations for relief every year, and I think we should take heed of this feeling, or we too may find ourselves with a taxpayers' revolt on our hands.

Perhaps the social workers are right when they say we should not penalize the children for the faults of their mothers, and I certainly agree with this when we are talking about the subject of unwed mothers. Perhaps they are right too when they say that the number of illegitimate children on our relief rolls is exaggerated. My statement and my feeling, is that we should review this whole question. I think Newburg has brought up a subject which needs to be reviewed by the legislatures of all States. Perhaps we can find a solution that takes care of the unfortunate children and at the same time prevents the kind of cheating that does go on.

Furthermore, I think there is a great deal of merit to the requirement that able-bodied persons on relief do useful work for the public, that is, for the Commonwealth, the county or the local municipalities in exchange for the public assistance which they receive. We have such a law on our books now, but apparently it is a "dead letter," because, as I understand, it is very seldom used, if at all. I think this would be helpful, not only to the community and the State, but for the person who is on relief, who must sign over his home in this State before he gets a relief check. In my opinion, it would be much better for him to be permitted to work himself out of this debt to the State by doing useful work for the public rather than have a State lien hanging over his head when he does return to gainful employment. If he starts working again he will then start off with a clean slate.

Another proposal that has been made in Newburg, which I think is worth mentioning, is the use of payment in kind. I cannot see too much wrong in paying State relief in kind rather than in money. This is what is being done on the national scene by the Kennedy Administration. They are distributing surplus food stamps instead of cash. I do not see why we cannot use food stamps instead of checks in this State so that we know that this money is going to feed the families and to feed the children; then we would know that it is not going for things like liquor, which allegations are frequently made.

Another thing is, why would it not be possible to pay rent as part of public assistance; an allocation for rent which is necessary to put a roof over the heads of these people, which I am certainly in favor of? Why can we not pay it directly to the landlord so that we are sure it goes

where it is intended to go? We already do this by paying the doctors and pharmacists for drugs and medicine. We pay that directly for relief recipients.

There are many, many ways in my opinion, that our public assistance program could be improved and, of course, more adequate supervision would be another important item. I think we would all be amazed if we knew how few times a home visit is made to relief recipients.

So, in my opinion, if the Newburgh Plan does nothing more than alert us to this problem which we face and which needs solution, then I think it has accomplished some good regardless of what the results may be in that little town along the Hudson.

I would like, Mr. Speaker, at this time, to insert into the record, copies of an editorial and an article from the Wall Street Journal, as follows:

Monday, July 10, 1961.

WELFARE WAR

NEWBURGH, N. Y.—This little city has done what many a city itched to do—it has set in motion a program to reduce municipal welfare costs. But in the process it has started a mighty row.

Pressed by a public relief burden that accounts for one-third of the city's \$3,134,383 budget, the City Council has adopted a 13-point plan scheduled to go into effect July 15. Aimed at eliminating welfare cheats from the public relief program, the plan is also designed to remedy mounting social problems in a deteriorating section of the city. These problems are violence, immorality, fire hazards, and unsanitary conditions stemming from overcrowding and idleness.

While gaining the support of most of its own citizens and many irate taxpayers across the country, Newburgh nevertheless finds itself embroiled with New York State welfare officials, various clergymen and religious charities, its own staff of social workers, and the National Association for the Advancement of Colored People. Moreover, there is evidence that the problems the city seeks to solve came about almost as much from poor municipal administration as from the area's peculiar social conditions.

Of a population of 30,979, some 1,382 persons are on relief in this town not far north of New York City. The 13-point program, which City Manager Joseph McD. Mitchell has promised to supplement with additional, undisclosed restrictions, would include these measures:

Cash welfare payments, where possible, would be converted to food, clothing and rent vouchers (much relief money purportedly now winds up in saloon cash registers). All able-bodied male relievers would be put to work by the city on a 40-hour basis. Anyone able to work but who refuses a job would be denied relief.

UN-WED MOTHERS

Mothers of illegitimate children who have additional offspring out of wedlock would be deprived of public charity. No one who left his job voluntarily would be entitled to welfare aid. The relief income of any one family would not be allowed to exceed the income of the lowest-paid city employe with a family of comparable size. All aid-to-dependent children cases would be reviewed monthly by the city attorney.

New applicants for relief must prove they didn't come to Newburgh just to get on the welfare rolls. A three-month limit would be put on all welfare help except in cases involving the aged, blind, and disabled. In addition, there are four other

technical proposals designed to give the city tighter control over its welfare activities.

When word of Newburgh's plan reached Albany, the state Board of Social Welfare and the state Department of Welfare decided to investigate the city. At a hearing on Friday state investigators, after refusing to listen to any explanation of the Newburgh reforms, declared the 13-point program a violation of both state and Federal laws; a further hearing will be held later. State officials fear that if the Newburgh program is adopted, the state's \$150 million Federal welfare reimbursement would be jeopardized. Under Federal law, a state must administer welfare aid in a uniform manner if it is to qualify for Federal relief assistance, and this is what has state officials upset.

Newburgh presently receives about \$500,000 or approximately half its welfare funds, from Albany and Washington. The City Council has said it intends to go ahead with its new program even if it means the city will be deprived of state and Federal aid.

"The point here is," says Mr. Mitchell, "not whether the welfare money comes from the state or Federal Government. The point is that it is taxpayers' money that is being misspent. Also, there is the question of home rule. Can Newburgh work out its own destiny or must it be saddled with regulations that are placing the welfare of the whole community in jeopardy?"

There is no doubt that the overwhelming majority of Newburgh residents are behind Mr. Mitchell and the four-man, all Republican City Council (Democratic Mayor William D. Ryan opposes the plan as being "immoral, illegal and unfair"). Talks with two dozen people in the downtown area and in the city parks revealed unanimous support for the new welfare rules (a reporter from a New England newspaper spent three days interviewing 75 people and only three said they opposed the change).

Mrs. Jean Bachmann declared: "The conditions on Water Street are something terrible. Why should my husband work his head off for \$80 a week when a bunch of bums are making that doing nothing?"

Originally, the Water Street area was the municipality's commercial center, its steep, brick-paved roadways climbing from the ferry terminal to the historic buildings (including George Washington's post-Revolutionary headquarters) high on the hillside. But in the last decade, especially in the last five years, what was once a scenic delight has degenerated into a civic nightmare.

And welfare payments have been a major reason. Migratory workers, drawn to Newburgh in the summers to work the surrounding fields, have taken to staying through the winters on relief. Four and five families took up residence in one-family homes. The crowded conditions soon spawned violence and immorality. Water Street is the police department's biggest headache—the average weekend is good for a couple of knifings and barroom brawls. Girls begin careers of promiscuity and illegitimate childbearing at 12 years of age.

The migrant workers decided to stay on Water Street because the city purportedly has a reputation for being a good welfare town, Mr. Mitchell believes. And if they fit in any of the various welfare categories (which is not difficult for anyone without a job), such people can usually do as well financially (often better) as they could if they drifted South in the winter for agricultural work.

DECREASED PROPERTY VALUES

Besides the crime impact on Newburgh, there is the matter of what has happened to the Water Street property values. Longtime Newburgh merchants have moved out, along with a chain of

stores which put up brick and glass buildings before the deterioration of the neighborhood set in. Since 1958 real estate valuation losses in the district have totaled \$2,364,780, aiding in the city's financing troubles.

Because the migrants swelling the welfare rolls in recent years have been chiefly Negroes, the city's attempt to reduce the relief burden immediately gets entangled in sensitive sociological issues, the local chapter of the N.A.A.C.P. for instance, considers the new welfare plan a slap at Negroes. On the other hand Councilman George F. McKneally, an author of the controversial proposal, declares Newburgh would take the same action "if the problem involved Irish Catholics, except then we probably would have moved ahead faster because the prejudice accusations would have been less likely."

Interestingly, a reporter found that among long-time Negro residents in the Water Street area there is considerable hostility toward welfare cheats. A barmaid in a Negro tavern declared, "I think he's (Mitchell) doing the right thing. These newcomers make all colored people look bad. I don't care what the N.A.A.C.P. says. I used to belong to the local chapter but I quit. You know why I quit? Because they were getting too touchy. Just like a lot of white people, the N.A.A.C.P. forgets there are colored people and there are colored people."

Talks with 15 patrons in this same pub showed 13 favoring the plan and two with no opinion.

Probably those most disturbed about the plan, aside from the relievers themselves, are the city's social workers (City Welfare Commissioner John J. O'Donnell has offered to resign but his resignation was refused). Said one veteran case worker, "I'll tell you one thing: Morale in the Welfare Department is zero. This business can't help but hurt a lot of innocent people."

WELFARE CHISELERS

The city, while quick to place blame for its burgeoning welfare rolls on lazy migrants and inadequate state laws, cannot escape a good deal of the blame itself. Welfare chiselers, for instance, have to live some place and the only area open to them was Water Street. Here landlords (both white and Negro) encouraged newcomers to move into already overcrowded dwellings and in the process boosted rents. It would have been a simple matter for Newburgh to prohibit more than one family from sharing an apartment, but instead the city fathers looked the other way.

Thus, it was not until City Manager Mitchell, 39-year-old career expert in municipal affairs, took office last November that the local government really started to tackle the Water Street problem. Previously, Mr. Mitchell served in municipal administration posts in Marple Township, Pennsylvania, and Culver City, California. In recent weeks he has become something of a local hero, has appeared on national television, and has received almost 1,000 fan letters from all over the country.

Says Mr. Mitchell of the migrant workers who have moved here: "These people are uneducated and unskilled and the Newburgh economy cannot absorb them. There just isn't a need for much unskilled labor in local industry (chiefly needle trades, women's clothes and pocketbooks), so they apply for relief, loaf around town and get into trouble. Newburgh has a historic, productive Negro community, but these migrants are not a part of it."

Thus, Newburgh has challenged some basic concepts in the present handling of welfare aid. A special counsel hired by the city to plead its case before authorities believes the final outcome will be settled in the courts. Whatever that out-

come may be, it's likely that many cities far from Newburgh will be watching closely.

NEWBURGH'S CRIME

It's a fine commentary on public morality in this country when a local community's effort to correct flagrant welfare abuses is declared illegal under both state and Federal law.

That is exactly where matters rest in the case of Newburgh, the small New York city which has announced a 13-point program to reduce the burden caused by its bums, cheats and loafers, many of whom came to the town and remain for the deliberate purpose of living on relief—which is to say, on the hard-earned tax money of honest residents.

At a hearing before a special investigating committee of the New York State Welfare Board on Friday, the investigators refused even to listen to Newburgh city manager Mitchell's reasons for instituting the reform. We suspect, however, that a good many other people, in New York and elsewhere, are interested and listening, and they can find the background in Mr. Roberts' article on this page this morning. Instead, the vindictive inquisitors ruled the Newburgh reforms a violation of Federal and state laws; a hearing of the full Welfare Board is scheduled later this month. Mr. Mitchell says he still intends to go ahead with his program.

And what, pray is the crime of which the Newburgh administration stands accused? Among the reforms are stipulations that no one except the blind, aged and disabled may receive relief more than three months in any one year; that unmarried mothers are barred from relief if they have more illegitimate children; that able-bodied men on relief must work 40 hours a week for the city. In other words, Newburgh is simply trying to separate the crooks and chislers from the unfortunate people in genuine distress, to the obvious benefit of the latter.

How does cleaning up corruption get to be a crime? Because state and Federal laws define welfare so loosely that they have spawned a whole new class of malingers throughout the nation who make a career of exploiting relief. Thus welfare abuse, including the bearing of children for the sole reason of getting aid, is now one of the more noisome scandals in New York City's catalogue of official corruption.

Well, there is a crime in connection with Newburgh all right. But it is not on the head of city manager Mitchell. It is a crime of the social welfare sentimentalists and the hard-eyed politicians in Washington and elsewhere who use welfare fraud as a vote-getting gambit. And finally it is the crime of all of us, for letting these arrogant office holders do this to our once proud country.

RESOLUTION INTRODUCED AND REFERRED

By Messrs. SCHAAF, NEEDHAM and OGILVIE.

RESOLUTION No. 90.

In the House of Representatives, July 12, 1961.

The interest of the Commonwealth in the welfare of its men and women who served their State and Nation as members of the armed forces is reflected by certain rights and privileges conferred upon these veterans by the General Assembly. Some of the statutes date back to the Civil War; others are as recent as the present session of the General Assembly. Many of the veterans' laws are duplications and some may no longer be necessary. Often provisions specifically affecting veterans are contained in general legislation where they are difficult to locate. In order to assure that the current laws reflect the continuing interest and gratitude of the citizens of the Commonwealth to those who served their State and Nation when

called upon to do so in the past, it is essential that the entire area of veterans' laws be examined and studied in order to ascertain which laws should be retained or modified and which should be repealed as duplications; therefore be it

Resolved, That the Joint State Government Commission study the various laws of the Commonwealth affecting veterans, and be it further

Resolved, That the Joint State Government Commission be directed to report its findings and recommendations to the 1963 Session of the General Assembly.

Referred to the Committee on Rules.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. DOUGHERTY asked and obtained permission for the Committee on Cities—Counties, First Class to meet during the Session of the House.

ANNOUNCEMENT

Mr. McCANN. Mr. Speaker, may I take a moment of time here so there will be no misunderstanding as to the schedule for next week.

The SPEAKER pro tempore. The Chair thinks that would be a good idea. The Chair recognizes the gentleman from Greene, Mr. McCann.

Mr. McCANN. Mr. Speaker, this House will be in session next week for three days. I repeat, three days, Monday, Tuesday and Wednesday, but I do request that when we adjourn today the motion to reconvene the House on Monday will indicate reconvening the House will be at 3 p.m., daylight saving time, so that we may adjourn on Monday evening no later than 6 p.m., d.s.t.

For today's session we have agreed on a series of bills that have been caucused on and can be voted on. We will break for lunch later in the day and very likely have a short caucus, attempting to complete our work, if it be the wish of the House, by approximately 4 p.m., but no later perhaps than 4:30 p.m., d.s.t.

REPUBLICAN CAUCUS

Mr. A. W. JOHNSON. Mr. Speaker, I would like to make an announcement then with respect to the Republican Caucus next Monday.

We will meet at 1 o'clock, so that we will be able to caucus for two hours, from 1 to 2 and 2 to 3. There will be no caucus letter sent out. The members have heard the announcement that we will be here three days and that we will reconvene at 3 o'clock Monday.

The SPEAKER pro tempore. The Chair returns the gavel to the Speaker of the House.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 382, entitled:

An Act to repeal sections 662, 663 and 730 of "The Penal Code" approved June 24, 1939 (P. L. 872), relating to the imposition of penalties against railroad employes and other persons for certain activities during strikes and against transportation employes for injuries or death resulting from their actions.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 720, entitled:

An Act amending the "Pennsylvania Fair Employment Practice Act" approved October 27, 1955 (P. L. 744), changing the definitions of employer and age and clarifying which advertisements by an individual seeking employment constitute unlawful employment practices.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 84, entitled:

An Act amending the act of June 25, 1947 (P. L. 1145), entitled as amended "Local Tax Enabling Law" changing the overall limit of tax revenues for certain taxing districts.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 112, entitled:

An Act amending the act of May 2, 1945 (P. L. 382), entitled "Municipality Authorities Act of 1945" changing the rights powers and duties of Authorities heretofore or hereafter created.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 456, entitled:

An Act amending the act of May 15, 1933 (P. L. 624), entitled as amended "Banking Code" changing certain provisions with respect to the payment of interest on deposits.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 747, entitled:

An Act defining milk and its derivatives prohibiting its adulteration regulating its labeling sale and serving imposing duties on the Department of Agriculture providing penalties and making repeals.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Dougherty for Mr. TOMASICK for today.

Mr. Dougherty for Mr. NEEDHAM for today because of illness.

Mr. Dougherty for Mrs. PASHLEY for today because of death in family.

Mr. Tompkins for Mr. McINROY for today.

Mr. Tompkins for Mr. STIMMEL for today.

Mr. Tompkins for Mr. BOWMAN for today.

Mr. Tompkins for Mr. LIPPINCOTT for today.

Mr. Tompkins for Mr. UJOBAL for today.

REPORTS FROM COMMITTEE

Mr. PARLANTE from the Committee on Cities-Counties First Class, reported as committed, House bill No. 1831, entitled:

An Act increasing the number of courts of common pleas in the County of Philadelphia; establishing therein a distinct and separate court of common pleas designated court of common pleas number eight and providing for the appointment and election of judges for the court.

Mr. DOUGHTEN from the Committee on Cities-Counties First Class reported as committed, Senate bill No. 730, entitled:

An Act amending the act of June 1, 1956 (P. L. 1959), entitled "An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court the President Judge and judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court and Juvenile Court of Allegheny County certain associate judges not learned in the law certain state officers and the salary and expenses of the members of the General Assembly and repealing certain inconsistent acts" increasing the salaries of judges of courts of common pleas orphans' courts County Court and Juvenile Court of Allegheny County and Municipal Court of Philadelphia.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1831, entitled:

An Act increasing the number of courts of common pleas in the County of Philadelphia; establishing therein a distinct and separate court of common pleas designated court of common pleas number eight and providing for the appointment and election of judges of the court.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 730, entitled:

An Act amending the act of June 1, 1956 (P. L. 1959), entitled "An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court the President Judge and judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court and Juvenile Court of Allegheny County certain associate judges not learned in the law certain state officers and the salary and expenses of the members of the General Assembly and repealing certain inconsistent acts" increasing the salaries of judges of courts of common pleas orphans' courts County Court and Juvenile Court of Allegheny County and Municipal Court of Philadelphia.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 419, entitled:

An Act amending the act of May 17, 1921 (P. L. 789), entitled as amended "The Insurance Department Act of 1921" constituting insurance agents and brokers fiduciaries with respect to funds received as insurance agents or brokers and prescribing penalties for the violation thereof.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—189

Adams,	Gallagher,	Lawson,	Reidenbach,
Anderson, S. A.,	Gelfand,	Lee, A. M.,	Renwick,
Arlene,	George,	Lee, K. B.,	Royansek,
Ashton,	Gibb,	Leonard,	Rubin,
Auker,	Gibbons,	Limper,	Rudisill,
Bachman,	Goldstein, J. H.,	Long, Wm. Jas.,	Rutherford,
Blair,	Goldstein, M. H.,	Long, Wm. Jos.,	Sakulsky,
Boies,	Goodrich,	Lutty,	Scarcelli,
Bonner,	Gramlich,	Magee,	Schaaf,
Bossert,	Gray,	Manbeck,	Schuster,
Bower,	Greenlee,	Markley,	Shelton,
Branca,	Gremminger,	Marsh,	Sherman,
Breth,	Gross,	Maxwell,	Shupnik,
Buchanan,	Guesman,	May,	Simmons,
Bush,	Guthrie,	McCandless,	Slack,
Capano,	Hamilton,	McCann,	Snare,
Capitolo,	Hankins,	McDevitt,	Stank,
Cauley,	Hartley,	McDonald,	Steckel,
Cianfrani,	Heavey,	McKeever,	Stiteler,
Cioffi,	Heffner,	McLaughlin,	Stone,
Clarke,	Helm,	McNally,	Strausser,
Comer,	Henzel,	Meholchick,	Sullivan, J. A.,
Cooley,	Hocker,	Merry,	Sullivan, T. F.,
Crossin,	Holl,	Miller,	Taylor,
Davis,	Holliday,	Mills,	Thompson,
Dengler,	Holman,	Monroe,	Tompkins,
Dennison,	Horst,	Morley,	Trusio,
Donaldson,	Irviss,	Mullen,	Varner,
Dougherty,	Isaacs,	Munley,	Verona,
Doughten,	Jenkins,	Murphy,	Wall,
Down,	Jim,	Murray,	Wargo,
Edwards,	Johnson, A. W.,	Musto,	Weldner,
Ellberg,	Johnson, R. P.,	O'Dell,	Welsh,
Elvey,	Jones,	O'Donnell, J. A.,	Wescott,
Eshback,	Kamyk,	O'Donnell, J. P.,	Whittaker,
Eshleman,	Kelser,	Odorisio,	Willard,
Esler,	Kelly,	Ogilvie,	Willaredt,
Ewing,	Kernaghan,	Parlante,	Williams, A. D.,
Farabaugh,	Kessler,	Perry,	Williams, E. S.,
Fetterolf,	King,	Petrosky,	Wilt,
Filo,	Kistler,	Piper,	Wood,
Flynn,	Knecht,	Polaski,	Worley,
Foerster,	Kooker,	Polen,	Wynd,
Foor,	Kornick,	Prendergast,	Yetter,
Frascella,	Korns,	Price,	Zember,
Fry,	Kramer,	Pursley,	Zimmerman,
Fulmer,	Lamb,	Reibman,	Andrews,
Gailey,			Speaker

NAYS—0

NOT VOTING—21

Anderson, J. H.,	Haudenshield,	Mihm,	Seltzer,
Backenstoe,	Klein,	Needham,	Stimmel,
Bowman,	Lippincott,	Pashley,	Tomascik,
Curwood,	McCormack,	Riley,	Ujobal,
Fineman,	McInroy,	Royer,	Walsh,
Fox,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate

with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 427, entitled:

An Act amending the act of May 17, 1921 (P. L. 682), entitled "The Insurance Company Law of 1921" authorizing purchase or investment of bonds notes and obligations issued assumed or guaranteed by the Inter-American Development Bank.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—171

Adams,	Galley,	Lawson,	Reidenbach,
Anderson, S. A.,	Gallagher,	Lee, A. M.,	Renwick,
Arlene,	Gelfand,	Lee, K. B.,	Rovansek,
Bachman,	George,	Leonard,	Rubin,
Blair,	Gibb,	Limper,	Rudisill,
Boies,	Gibbons,	Long, Wm. Jas.,	Sakulsky,
Bonner,	Goldstein, J. H.,	Long, Wm. Jos.,	Scarcell,
Bossert,	Goodrich,	Lutty,	Schaaf,
Bower,	Gramlich,	Magee,	Schuster,
Branca,	Gray,	Marsh,	Shelton,
Breth,	Greenlee,	Maxwell,	Sherman,
Buchanan,	Gremminger,	May,	Shupnik,
Bush,	Gross,	McCann,	Simmons,
Capano,	Guesman,	McDevitt,	Snare,
Capitolo,	Guthrie,	McDonald,	Stank,
Caulley,	Hamilton,	McKeever,	Stone,
Cianfrani,	Hankins,	McLaughlin,	Strausser,
Cioffi,	Hartley,	McNally,	Sullivan, J. A.,
Clarke,	Heavey,	Meholchick,	Sullivan, T. F.,
Comer,	Heffner,	Merry,	Taylor,
Cooley,	Helm,	Miller,	Thompson,
Crossin,	Henzel,	Mills,	Truslo,
Dengler,	Hocker,	Monroe,	Varner,
Dennison,	Holl,	Morley,	Verona,
Donaldson,	Holliday,	Mullen,	Wall,
Dougherty,	Holman,	Munley,	Wargo,
Doughten,	Horst,	Murphy,	Weidner,
Down,	Irviss,	Murray,	Welsh,
Edwards,	Jim,	Musto,	Wescott,
Ellberg,	Johnson, A. W.,	O'Dell,	Whittaker,
Elvey,	Johnson, R. P.,	O'Donnell, J. A.,	Willard,
Eshback,	Jones,	O'Donnell, J. P.,	Willaredt,
Eshleman,	Kamyk,	Odorisio,	Williams, A. D.,
Esler,	Keiser,	Ogilvie,	Williams, E. S.,
Ewing,	Kelly,	Parlante,	Wilt,
Farabaugh,	Kernaghan,	Perry,	Wood,
Fetterolf,	Kessler,	Petrosky,	Worley,
Filo,	King,	Piper,	Wynd,
Flynn,	Kistler,	Polaski,	Yetter,
Forester,	Knecht,	Polen,	Zember,
Foor,	Kornick,	Prendergast,	Zimmerman,
Frascella,	Kramer,	Pursley,	Andrews,
Fry,	Lamb,	Reibman,	Speaker

NAYS—17

Ashton,	Isaacs,	Markley,	Slack,
Auker,	Kooker,	McCandless,	Steckel,
Davis,	Korns,	Price,	Stiteler,
Fulmer,	Manbeck,	Rutherford,	Tompkins,
Goldstein, M. H.,			

NOT VOTING—22

Anderson, J. H.,	Haudenschild,	Mihm,	Seltzer,
Backenstoe,	Jenkins,	Needham,	Stimmel,
Bowman,	Klein,	Pashley,	Tomascik,
Curwood,	Lippincott,	Riley,	Ujobai,
Fineman,	McCormack,	Royer,	Walsh,
Fox,	McInroy,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 428, entitled:

An Act amending the act of May 15, 1933 (P. L. 624), entitled as amended "Banking Code" enlarging the powers of banks bank and trust companies and savings banks to deal in fractional interest of evidences of debt.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—179

Adams,	Galley,	Lee, K. B.,	Renwick,
Anderson, S. A.,	Gallagher,	Leonard,	Rovansek,
Arlene,	Gelfand,	Limper,	Royer,
Bachman,	George,	Long, Wm. Jas.,	Rubin,
Backenstoe,	Gibb,	Long, Wm. Jos.,	Rudisill,
Blair,	Gibbons,	Lutty,	Rutherford,
Bonner,	Goldstein, J. H.,	Magee,	Sakulsky,
Bossert,	Goodrich,	Manbeck,	Scarcell,
Bower,	Gramlich,	Markley,	Schaaf,
Branca,	Gray,	Marsh,	Schuster,
Breth,	Greenlee,	Maxwell,	Shelton,
Buchanan,	Gremminger,	May,	Sherman,
Bush,	Gross,	McCandless,	Shupnik,
Capano,	Guesman,	McCann,	Simmons,
Capitolo,	Guthrie,	McDevitt,	Snare,
Caulley,	Hankins,	McDonald,	Stank,
Cianfrani,	Hartley,	McKeever,	Steckel,
Cioffi,	Heavey,	McLaughlin,	Stiteler,
Clarke,	Heffner,	McNally,	Strausser,
Comer,	Helm,	Meholchick,	Stone,
Cooley,	Henzel,	Merry,	Sullivan, J. A.,
Crossin,	Hocker,	Miller,	Sullivan, T. F.,
Davis,	Holl,	Mills,	Taylor,
Dengler,	Holliday,	Monroe,	Thompson,
Dennison,	Holman,	Morley,	Truslo,
Donaldson,	Horst,	Mullen,	Varner,
Dougherty,	Irviss,	Munley,	Verona,
Doughten,	Jim,	Murphy,	Wall,
Down,	Johnson, A. W.,	Murray,	Wargo,
Edwards,	Johnson, R. P.,	Musto,	Weidner,
Ellberg,	Jones,	O'Dell,	Welsh,
Elvey,	Kamyk,	O'Donnell, J. A.,	Wescott,
Eshback,	Keiser,	O'Donnell, J. P.,	Whittaker,
Eshleman,	Kelly,	Odorisio,	Willard,
Esler,	Kernaghan,	Ogilvie,	Willaredt,
Ewing,	Kessler,	Parlante,	Williams, A. D.,
Farabaugh,	King,	Perry,	Williams, E. S.,
Fetterolf,	Kistler,	Petrosky,	Wood,
Filo,	Knecht,	Piper,	Worley,
Flynn,	Kornick,	Polaski,	Wynd,
Foerster,	Korns,	Polen,	Yetter,
Foor,	Kramer,	Prendergast,	Zember,
Frascella,	Lamb,	Pursley,	Zimmerman,
Fry,	Lawson,	Reibman,	Andrews,
Fulmer,	Lee, A. M.,	Reidenbach,	Speaker

NAYS—9

Ashton,	Isaacs,	Price,	Tompkins,
Auker,	Kooker,	Slack,	Wilt,
Goldstein, M. H.,			

NOT VOTING—22

Anderson, J. H.,	Hamilton,	McInroy,	Seltzer,
Boies,	Haudenschild,	Mihm,	Stimmel,
Bowman,	Jenkins,	Needham,	Tomascik,
Curwood,	Klein,	Pashley,	Ujobai,
Fineman,	Lippincott,	Riley,	Walsh,
Fox,	McCormack,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 437, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" providing in certain cases for continuing operation of joint school systems which constitute approved administrative units.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—189

Adams,	Galley,	Lamb,	Renwick,
Anderson, S. A.,	Gallagher,	Lawson,	Rovansek,
Arlene,	Gelfand,	Lee, A. M.,	Royer,
Ashton,	George,	Lee, K. B.,	Rubin,
Auker,	Gibb,	Leonard,	Rudtsill,
Bachman,	Gibbons,	Limper,	Rutherford,
Backenstoe,	Goldstein, J. H.,	Long, Wm. Jas.,	Sakulsky,
Blair,	Goldstein, M. H.,	Long, Wm. Jos.,	Scarcelli,
Boles,	Goodrich,	Lutty,	Schaaf,
Bonner,	Gramlich,	Magee,	Schuster,
Bossert,	Gray,	Manbeck,	Shelton,
Bower,	Greenlee,	Markley,	Sherman,
Branca,	Gremminger,	Marsh,	Shupnik,
Breth,	Gross,	Maxwell,	Simmons,
Buchanan,	Guesman,	May,	Slack,
Bush,	Guthrie,	McCandless,	Snare,
Capano,	Hamilton,	McCann,	Stank,
Capitolo,	Hankins,	McDevitt,	Steckel,
Cauley,	Hartley,	McDonald,	Stiteler,
Cianfrani,	Heavey,	McKeever,	Stone,
Cioffi,	Heffner,	McLaughlin,	Strausser,
Clarke,	Helm,	Meholchick,	Sullivan, J. A.,
Comer,	Henzel,	Miller,	Sullivan, T. F.,
Cooley,	Hocker,	Mills,	Taylor,
Crossin,	Holl,	Monroe,	Thompson,
Davis,	Holliday,	Morley,	Tompkins,
Dengler,	Holman,	Mullen,	Trusio,
Dennison,	Horst,	Munley,	Varner,
Donaldson,	Irvie,	Murphy,	Verona,
Dougherty,	Isaacs,	Murray,	Wall,
Doughten,	Jenkins,	Musto,	Weidner,
Down,	Jim,	O'Dell,	Wescott,
Edwards,	Johnson, A. W.,	O'Donnell, J. A.,	Whittaker,
Ellberg,	Johnson, R. P.,	O'Donnell, J. P.,	Willaredt,
Elvey,	Jones,	Odorisio,	Williams, A. D.,
Eshback,	Kamyk,	Ogilvie,	Williams, E. S.,
Eshleman,	Keiser,	Parlante,	Wilt,
Esler,	Kernaghan,	Perry,	Wood,
Ewing,	Kelly,	Petrosky,	Worley,
Farabaugh,	Kessler,	Piper,	Wynd,
Fetterolf,	King,	Polaski,	Yetter,
Filo,	Kistler,	Polen,	Zember,
Flynn,	Knecht,	Prendergast,	Zimmerman,
Foerster,	Kornick,	Price,	Andrews,
Foor,	Kooker,	Pursley,	
Frascella,	Korns,	Reibman,	
Fry,	Kramer,	Reidenbach,	
Fulmer,			

Speaker

NAYS—0

NOT VOTING—21

Anderson, J. H.,	Klein,	Merry,	Seltzer,
Bowman,	Lippincott,	Mihm,	Stimmel,
Curwood,	McCormack,	Needham,	Tomasck,
Fineman,	McInroy,	Pashley,	Ujober,
Fox,	McNally,	Riley,	Walsh,
Haudenshield,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 446, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code" bringing persons between eighteen and twenty-one years of age within the provisions of the act relating to corrupting the morals of children.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—164

Adams,	Gallagher,	Korns,	Price,
Anderson, S. A.,	Gelfand,	Kramer,	Pursley,
Arlene,	George,	Lawson,	Reibman,
Ashton,	Gibb,	Lee, A. M.,	Reidenbach,
Bachman,	Gibbons,	Lee, K. B.,	Royer,
Backenstoe,	Goldstein, J. H.,	Leonard,	Rubin,
Blair,	Goldstein, M. H.,	Limper,	Rudisill,
Boles,	Goodrich,	Long, Wm. Jas.,	Rutherford,
Bossert,	Gramlich,	Long, Wm. Jos.,	Sakulsky,
Bower,	Gray,	Lutty,	Scarcelli,
Branca,	Greenlee,	Magee,	Schuster,
Breth,	Gremminger,	Manbeck,	Shelton,
Buchanan,	Gross,	Markley,	Sherman,
Bush,	Guesman,	Marsh,	Simmons,
Capano,	Guthrie,	Maxwell,	Slack,
Capitolo,	Hamilton,	May,	Stank,
Cianfrani,	Hankins,	McCandless,	Steckel,
Cioffi,	Hartley,	McCann,	Stiteler,
Comer,	Heavey,	McDevitt,	Stone,
Cooley,	Heffner,	McDonald,	Strausser,
Crossin,	Helm,	McKeever,	Sullivan, J. A.,
Davis,	Henzel,	McLaughlin,	Sullivan, T. F.,
Dengler,	Hocker,	Meholchick,	Taylor,
Donaldson,	Holl,	Merry,	Thompson,
Dougherty,	Holliday,	Miller,	Tompkins,
Down,	Horst,	Mills,	Trusio,
Ellberg,	Isaacs,	Monroe,	Varner,
Elvey,	Jenkins,	Morley,	Verona,
Eshback,	Jim,	Mullen,	Wall,
Eshleman,	Johnson, A. W.,	Murray,	Weidner,
Esler,	Johnson, R. P.,	Musto,	Wescott,
Ewing,	Jones,	O'Dell,	Whittaker,
Farabaugh,	Kamyk,	O'Donnell, J. A.,	Willaredt,
Fetterolf,	Keiser,	O'Donnell, J. P.,	Williams, A. D.,
Filo,	Kelly,	Ogilvie,	Williams, E. S.,
Flynn,	Kernaghan,	Parlante,	Wilt,
Foerster,	Kessler,	Petrosky,	Wood,
Foor,	King,	Piper,	Worley,
Frascella,	Knecht,	Polaski,	Wynd,
Fry,	Kooker,	Polen,	Yetter,
Fulmer,	Kornick,	Prendergast,	Zember,

NAYS—21

Auker,	Edwards,	Lamb,	Schaaf,
Bonner,	Galley,	Munley,	Shupnik,
Cauley,	Holman,	Murphy,	Snare,
Clarke,	Irvie,	Odorisio,	Willard,
Dennison,	Kistler,	Renwick,	Zimmerman,
Doughten,			

NOT VOTING—25

Anderson, J. H.,	Lippincott,	Pashley,	Tomasck,
Bowman,	McCormack,	Perry,	Ujober,
Curwood,	McInroy,	Riley,	Walsh,
Fineman,	McNally,	Rovansek,	Wargo,
Fox,	Mihm,	Seltzer,	Welsh,
Haudenshield,	Needham,	Stimmel,	Andrews,
Klein,			

Speaker

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 455, entitled:

An Act amending the act of May 5, 1933 (P. L. 457), entitled "Building and Loan Code" changing provisions governing the change of the place of business of a branch and changing provisions for the period of public notice for the discontinuance of a branch.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—185

Adams,	Fulmer,	Lawson,	Renwick,
Anderson, S. A.,	Galley,	Lee, A. M.,	Rovansek,
Arlene,	Gallagher,	Lee, K. B.,	Rubin,
Ashton,	Gelfand,	Leonard,	Rudisill,
Auker,	George,	Limper,	Rutherford,
Bachman,	Gibb,	Long, Wm. Jas.,	Sakulsky,
Backenstoe,	Gibbons,	Long, Wm. Jos.,	Scarcelli,
Blair,	Goldstein, J. H.,	Lutty,	Schaaf,
Boles,	Goldstein, M. H.,	Magee,	Schuster,
Bonner,	Goodrich,	Manbeck,	Shelton,
Bossert,	Gramlich,	Markley,	Sherman,
Bower,	Gray,	Marsh,	Shupnik,
Branca,	Greenlee,	Maxwell,	Simmmons,
Breth,	Gremminger,	May,	Slack,
Buchanan,	Gross,	McCandless,	Snare,
Bush,	Guesman,	McCann,	Stank,
Capano,	Guthrie,	McDevitt,	Steckel,
Capitolo,	Hamilton,	McDonald,	Stiteler,
Caulley,	Hankins,	McKeever,	Stone,
Cianfrani,	Hartley,	McLaughlin,	Strausser,
Cioffi,	Heffner,	McNally,	Sullivan, J. A.,
Clarke,	Helm,	Meholchick,	Sullivan, T. F.,
Comer,	Heavey,	Miller,	Taylor,
Cooley,	Henzel,	Mills,	Thompson,
Crossin,	Hocker,	Monroe,	Tompkins,
Davis,	Holl,	Morley,	Truslo,
Dengler,	Holliday,	Mullen,	Varner,
Dennison,	Holman,	Munley,	Verona,
Donaldson,	Horst,	Murphy,	Wall,
Dougherty,	Irviss,	Murray,	Wargo,
Doughten,	Isaacs,	Musto,	Weidner,
Down,	Jenkins,	O'Dell,	Welsh,
Edwards,	Jim,	O'Donnell, J. A.,	Wescott,
Ellberg,	Johnson, A. W.,	O'Donnell, J. P.,	Whittaker,
Elvey,	Johnson, R. P.,	Odoriso,	Willard,
Eshback,	Jones,	Parlante,	Willaredt,
Eshleman,	Kamyk,	Perry,	Williams, A. D.,
Esler,	Kaiser,	Petrosky,	Williams, E. S.,
Ewing,	Kernaghan,	Piper,	Wilt,
Farabaugh,	King,	Polaski,	Wood,
Fetterolf,	Kistler,	Polen,	Worley,
Filo,	Kooker,	Prendergast,	Wynd,
Flynn,	Kornick,	Price,	Yetter,
Foor,	Korns,	Pursley,	Zemmer,
Forester,	Kramer,	Reibman,	Zimmerman,
Frascella,	Lamb,	Reidenbach,	Andrews,
Fry,			Speaker

NAYS—1

NOT VOTING—24

Anderson, J. H.,	Kelly,	McInroy,	Royer,
Bowman,	Kessler,	Merry,	Seitzer,
Curwood,	Klein,	Mihm,	Stimmel,
Fineman,	Knecht,	Needham,	Tomascik,
Fox,	Lippincott,	Pashley,	Ujbal,
Gaudenshield,	McCormack,	Riley,	Walsh,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same with amendments in which the concurrence of the Senate is requested.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 104, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" granting the power to the Secretary of Highways to establish speed limits.

On the question,

Shall the bill pass finally?

The SPEAKER. The Chair recognizes the gentleman from Bucks, Mr. Williams.

Mr. A. D. WILLIAMS, Jr. Mr. Speaker and members of the House, we debated rather extensively the merits of allowing 40-foot trailers in the State of Pennsylvania several days ago. I am not going to burden this House and the members with a rehash of that situation.

I would like to point out that this is not partisan legislation but is bi-partisan legislation. Bills to allow 40-foot trailers in Pennsylvania have been introduced by the following members of this House: Mr. Kornick, Mr. Schaaf, Mr. Flynn, Mr. Gallagher, Mr. Bachman, Mr. Meholchick, Mrs. Kooker, Mr. Holliday, Mr. McNroy, Mr. Foor, Mr. George and Mr. Weidner. These bills did not come out of committee for reasons which are known to probably every member of this House. We have been able to get this question before the House by means of amendments to this bill. The amendments were sponsored by Mr. McNally, Mr. Kornick, Mr. Bachman, Mrs. Kooker, Mr. Holliday, Mr. McNroy, Mr. George, Mr. Weidner and myself. This has been a bi-partisan effort at all times to get a chance to vote on the removal of this 35-foot wall which has been politically erected around this State.

Now, I am going to break a promise which I have made to many of the supporters of this bill on the other side. I have, up until this point, not made a political speech in regard to this bill; at least I do not think that I have. I have discussed only the merits of this bill. However, at this moment I feel almost as though I ought to discuss House bill 283, which is the lobbying registration bill, because I think that is the bill that is perhaps more important here. I have seen more strange bedfellows in the last 48 hours than I have seen in the last three years of my experience in this House.

I cannot understand how the members of this House can vote to continue a policy of having the police force of this State, the State Police and all of those local police forces, continue to wink at violations of the law which are going on daily. These 40-foot trailers are operating in Pennsylvania today. They are operating against the law, we all know it. We all know why we have 35-foot trailers in Pennsylvania. We all know that this is the only State in the Union, except West Virginia which has this law. It is ridiculous; it is antiquated; and we all know it is antiquated. We all know it is going to fall, if not this year then two years from now. You cannot stop progress. Any vote "no" today on this bill is an attempt to stop progress which has been made with due regard for safety in the trucking industry. We have industry for this bill; we

have labor for this bill. This bill will help create and keep employment in many of the depressed counties of the State. That is about all I have to say. I hope that those people who know that they should be for this bill will be for the bill today. I thank the House.

The SPEAKER. Does the gentleman from Allegheny, Mr. Filo, desire to be recognized?

Mr. FILO. I do, Mr. Speaker.

The SPEAKER. The gentleman will proceed.

Mr. FILO. Mr. Speaker, ladies and gentlemen, I do not think I have to tell you that I am a "Johnny-come-lately" as far as increasing truck weight, truck lengths and in the time that I have been here since the year 1949, I was always opposed to additional weight or lengthening these trucks. I suppose some of you may wonder why I withdrew the amendments I had to this bill, that would add a safety brake to these trucks, because presently, Mr. Speaker, with these more lengthy trucks being on the highways, I feel we are going to have more accidents, more run-away trucks, as Mr. Williams spoke about before me, than we have with these trucks which do operate presently in the State of Pennsylvania. So I could see no reason why I should add these amendments to this bill.

I want to give credit to a man, the head of the Highway Department, Park Martin, one who I understand is opposed to this legislation. I do want to be critical of the other department though, the Bureau of Highway Safety. To date they have said nothing about this 40-foot trailer. We in the House here have been passing, in this session and sessions before, legislation to make highways safer for the people of Pennsylvania. It is all right when they say, well let's get after the guy that drives an automobile. But as the gentleman, Mr. Williams, stated, they are winking at the trucks. Look back, think back, gentlemen and ladies, in the past, during the past six years, how many truckers have come to you asking you to help them to get their license. Prior years to this, I would say four or five years ago, I had truckers call me up almost weekly because they were arrested for speeding, because they were arrested for overloading, and that is another point I want to get to, Mr. Speaker.

Presently these trucks are operating in the State of Pennsylvania with a large percentage of overweight. If you will recall a few years back we had the State Police on the turnpike entrances with scales, measuring the weight of these trucks. And I say, in some instances, the weights on those trucks were double that allowed by the State of Pennsylvania.

Is this safety? We have got to do something about this business. I can recall just about a year ago a truck ran down over a hill in Uniontown. It was out of control because it did not have the proper brakes. I can recall a truck killing some kids down in the Johnstown area just recently. Because they had these big trucks and probably were overweighted and did not have the proper brakes. I can recall many instances in my own county where there were run-away trucks and people were killed as a result.

Let's be fair, ladies and gentlemen, if we are going to be tough on the motorists, let's be tough on the truckers too. I say this, there are some good truckers, but there are some bad ones too, the so-called gypsy truckers. Let's look at it in the light of safety. Oh, we say that this does not allow additional weight. This is for bulk weight. But

let's take a stand behind that trucker and say this is bulk weight; this is not something that is heavier than the stuff they generally put on.

I have received many letters in support of this 40-foot truck, the additional length of these trucks, but not one of the letters stated that we are going to have a better truck or that we will be able to do better business. Not one of them stated that we are going to have better brakes on these trucks, or that we are going to be more careful. Now, they say that they have this thing in Ohio, in New Jersey, and the surrounding States. I will agree with you. But, they do not have the topography that we have in Pennsylvania. They do not have the summits and the mountains that they have to come down, braking probably all the way. It was pointed out here the other day, by Mr. Morley, and, I take great pride in the information that he gave us because I think he knows what he is talking about, that the possibility of the jackknifing of these lengthy trucks is much greater.

Ladies and gentleman, if you ever do a good thing in Pennsylvania for safety, vote down this measure.

The SPEAKER. The Chair recognizes the gentleman from Lebanon, Mr. Manbeck.

Mr. MANBECK. Mr. Speaker, ladies and gentlemen, I do not anticipate changing too many votes on Senate bill 104. However, I would like to make a brief statement so that you can draw your own conclusions.

Today, we have an overall 50-foot length regulation, and this 40-foot trailer bill does not lengthen that equipment at all. With the snub-nose tractor you still are within the limits of your 50 feet. I have heard arguments during the week that with these longer trailers you need more room to make a turn. This is untrue. You can turn just as short with the 50-foot overall length or with the 40-foot trailer as you can with the 35-foot trailer.

I have not heard one statement in this House which talked about the agricultural industry, which is very much interested in this 40-foot trailer bill. Now, I think if you would have a 20-foot trailer you could overload it, if you wanted to talk about overweight. And regardless of what kind of laws you have, you always have violators of these particular laws.

We have on Route 22 daily the State Police on the job, weighing the trucks, measuring them, to see that the people are conforming with the regulations and the overweight percentage of trucks is very small today. Yes, you have them occasionally, as you have in anything. But I would like to say to you that we are surrounded by States that have the 40-foot trailer bill, people who haul bulk items, such as, farm equipment and other agricultural products.

We talk about unemployment, all our agricultural people are forced out of business by competition in surrounding States by using this large equipment, and I say to you that I think it is high time we give the people of Pennsylvania the same right as we have in other States.

This will mean much employment to people in the manufacturing of farm equipment, other equipment, in the transportation of poultry and other livestock. Now, it is true that they can transport hogs and cattle in 40-foot trailers today, but the truck must be so built to handle this kind of livestock. And this would give us in agriculture an opportunity to compete with the States surrounding us today, and I say that we should all go down the

line and vote for the working people of the State of Pennsylvania and vote "yes" on Senate bill 104. Thank you.

The SPEAKER. The Chair recognizes the members in the order in which their requests come to the desk.

The Chair now recognizes the gentleman from Berks, Mr. Adams.

Mr. ADAMS. Mr. Speaker, I do not expect to influence many, or any, votes on this subject, but I am going to make a very brief statement.

I call upon the members on both sides, if they are interested in a better business climate and improved employment for all the people of Pennsylvania to support this bill. I call upon the members on the other side of the aisle and on this side of the aisle who have political pressures on behalf of certain trucking interests to support this bill. I call upon the members on this side of the aisle who have political pressures on them from the railroads to oppose it. I call on them to support it. I think this is the time to put statesmanship above politics and vote for a bill that is designed for the majority of the people and the welfare of the Commonwealth of Pennsylvania.

The SPEAKER. The Chair recognizes the gentleman from Cambria, Mr. McNally.

Mr. McNALLY. Mr. Speaker, I am really a "Johnny-come-lately" when it comes to addressing this House. I listened to the discussion of Mr. Morley from Philadelphia yesterday in connection with the 40-foot trailers, and also the discussion of Mr. Filo.

I have been more or less closely associated with this industry for the past 40 years. There is a great deal of merit in what both of them said from the standpoint of safety. However, I think they are forgetting that the engineers of this industry, Mr. Speaker, have come a long way from the standpoint of the brakes on a trailer. I feel quite confident, if this 40-foot trailer bill becomes law, you shall have some overweights. You have them at the present time with a 35-foot trailer; you will have them with a 20-foot trailer.

However, the accidents that occur on hills, as a rule, are not due to faulty brakes. Trucks of the magnitude of hauling 40 to 60 thousand pounds in all cases, dating back as far as the Model T days, are held back by the gears of the vehicle and not the brakes altogether. The engineering of Fruehauf's, Trailmobile, and some of the biggest manufacturers in the Country has come a long way, and I feel quite sure that in the event this 40-foot trailer becomes law—or I will put it this way, sir: If it is necessary that more brakes be put on the trailer for 40-feet, since the engineers have seen to it and if they have a 3½-inch brakeshoe or a 4-inch brakeshoe on the 35-foot trailer. I am quite confident that the engineering of the automotive industry will see that the brakes on the 40-foot will be proper equipment.

I listened with a great deal of interest of Mr. Filo's remarks on the topography of Pennsylvania. That is something that we in the House have no control over. However, we do have a mountainous area out in the west. You find it all through the States of Oregon and Washington, you will find it in the Rocky Mountain area, and the 40-foot trailer is legal out there.

I heard the gentleman from Bucks the other day say that it is legal to take a load of hogs or take a load of cattle to market, but you cannot bring back the prime ribs and you cannot bring back the bacon in the same unit.

I do not believe what I have said here today is going to change a single vote. However, I thought, Mr. Speaker, it would be proper to clear up some of the things on which I am sure this House was misinformed.

Thank you very much, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Fayette, Mr. Kornick.

Mr. KORNICK. Mr. Speaker, I must also concede that this is a bipartisan effort here. I never thought that this bill would create such interest, but I am happy it has because it puts Uniontown, Fayette County, on the map.

I want to show you a clipping I have here from yesterday's Pittsburgh Press. The heading is "\$5 Million Invested in Fruehauf Trailers in Fayette County." We from Fayette County would be very remiss, would be very ungrateful to our people back home and to the neighboring counties adjoining Fayette County, if we did not get up here and make our position known. This means a lot to Fayette County, as we are one of the most distressed counties in the Commonwealth. I think we now have about 39.6 per cent unemployment. This plant is to bring in 450 people to work.

So, therefore, I again ask all members, both Republican and Democrat, friend and foe, to vote for this legislation. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Schuylkill, Mr. Heffner.

Mr. HEFFNER. Mr. Speaker, I rise today in favor of this bill to legalize 40-foot trailers in Pennsylvania.

We in the legislature this session, and many sessions, hear time and time again that we are a progressive Pennsylvania, that we are an industrial State. Governor Lawrence in his address at the P. P. & L. dedication yesterday made the statement that Pennsylvania thrives through its industry, that we are an industrial State.

Here we have a bill which will benefit industry in Pennsylvania. It will benefit the light-weight industries such as the gentleman from Lebanon, Mr. Manbeck, spoke of, the agricultural industry and many other industries, because it is given an additional five feet to transport their products to market. It will also benefit the manufacturers of trailers in Pennsylvania. The gentleman from Fayette just mentioned his county. I mention the adjoining county of Luzerne where Highway Trailers is now located.

I live 30 miles from Hazleton, Pennsylvania. I have been deeply interested in industrial development in Pennsylvania, even before I became a member of this House. When the industry, Highway Trailers, decided to locate in Hazleton, I applauded that decision. I was a little disappointed that it was not in Schuylkill County, but I applauded it because it did help to alleviate some of the unemployment in Pennsylvania.

I studied unemployment in our Select Unemployment Committee. We are all here dedicated to the proposition that Pennsylvania to move forward needs new industry and needs to keep its existing industries in Pennsylvania.

Here is a bill of progress. Here is a bill for which those of us who are in favor of progress can vote. I have found no compelling reason why I should not vote for this bill. It is not a safety factor involved here. We have 40-foot trailers in other States. They have not increased the accident rates. Oh, it may be desirable that we have no trucks on our highways in Pennsylvania, but we now know that the trucking industry is a great industry in

Pennsylvania, and we must all admit that even though some of us who represent some other interests, perhaps, may swallow hard. But it is a great industry and I say to you today that a vote for the 40-foot trailer is a vote for industry and a vote for progress in Pennsylvania. I ask you to search your conscience and vote in favor of the bill.

The SPEAKER. The Chair recognizes the gentleman from Cambria, Mr. Farabaugh.

Mr. FARABAUGH. Mr. Speaker, I have listened with great interest to the discussion here this morning, particularly to the points that were brought out by Mr. Filo. He has raised a question here that I have thought a lot about in the past. That is the overloading and the questionable activities of the trucks on the highways. Over the recent years we have passed legislation in this House which has gone a long way in eliminating overloading by allowing a reasonable load and then making a penalty high enough to stop the overload. This has improved greatly the conditions which existed on our highways with the trucks. There are still some violations going on. I am greatly in favor of the point that he raised, that the trucks should be more carefully policed, the trucks going on our highways. However, in his talk he indicated that this would permit overloading, and, as I see this bill, I see nothing in it which would allow any heavier load. Therefore, I think this is good legislation that will be helpful to industry throughout this State, which is badly needed. Those are some of the reasons why I support the bill.

Mr. WM. JOSEPH LONG. Mr. Speaker, I am going to vote for this bill, and the reason I am is this: Before I became a legislator I worked on the highway, and before I got that job on the highway I was idle for three years, and God only knows I went all over Pennsylvania looking for a job and I could not get one. We have people in my district from Kelayres, from McAdoo and from Delano who presently have jobs working at the Highway Trailers' industry in Hazleton. Every time I go home from here I have about 15 phone calls from people who get in touch with me asking can I get them a job with the State. I am sorry to say so far I have not gotten anybody a job, but I know what it is to be without work. I am not going to vote for this bill and go back and have people with families and children say I helped put them out of work. I firmly believe in safety on the highways, but I firmly believe the machine is driven by the human and not the machine driving the human being. I am not knocking the State Police, but when I come down here I do 60 miles an hour, maybe sometimes 65 miles an hour, but when these trucks pass you out, I am telling you, my little Rambler starts to quiver. But as I said, I am not knocking the State Police, but I believe it is up to them to stop these people from doing so. I believe in safety.

I listened with interest to some previous remarks of the gentlemen, but I am committed to vote for this bill and I humbly ask everybody in this House, on both sides, also to vote for it. Thank you.

Mr. VARNER. Mr. Speaker, I support Senate bill 104 and the 40-foot-trailer proposition. In my county of Clarion, in my neighboring counties, Venango, Armstrong, Jefferson, we have a nice glass container industry. In our area and in my town of Clarion we have the Owens-Illinois Glass plant which is the largest glass container

plant, probably, in Pennsylvania. We need better transportation from northwestern Pennsylvania to the great eastern markets and this 40-foot trailer will give us what we need. We also need the Keystone Shortway, but that is an aside.

I think my friends in the surrounding areas and all the people who work in the glass industry are very much in favor of this legislation. Right now we are in a bad competitive position with other areas. In fact, one of the reasons the glass industry in northwestern Pennsylvania has not expanded as much as it should is that we are far from our markets and our costs of shipping are too high. Those figures can be substantiated. Practically all of our industries have established new glass plants in New Jersey and Connecticut to cut down shipping costs, and these are plants that could have been in Pennsylvania if we had good shipping facilities. For that reason I urge you to vote for this bill.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Filo.

Mr. FILO. Mr. Speaker, I would like to interrogate the gentleman from Cambria, Mr. Farabaugh.

The SPEAKER. Will the gentleman from Cambria, Mr. Farabaugh, permit himself to be interrogated?

Mr. FARABAUGH. I shall, Mr. Speaker.

Mr. FILO. Mr. Speaker, is the gentleman not from the Johnstown area?

Mr. FARABAUGH. That is right, I am from the Johnstown area.

Mr. FILO. Will the gentleman tell me if he recalls that just recently there were three children killed in the Johnstown area as a result of a truck out of control and going down over a hill?

Mr. FARABAUGH. I remember that.

Mr. FILO. Can the gentleman tell me what caused this accident?

Mr. FARABAUGH. Lack of control of the truck.

Mr. FILO. I think the gentleman could add even the brakes. That is all, Mr. Speaker.

Mr. FARABAUGH. Mr. Speaker, that was a 20-foot trailer.

Mr. FILO. If that was a 20-foot trailer, Mr. Speaker, God help the people with a 40-foot trailer.

The SPEAKER. The Chair recognizes the gentleman from Cambria, Mr. Farabaugh.

Mr. FARABAUGH. Mr. Speaker, I think the folks should know that there has been something done to avoid such accidents in that particular area. That is a very steep hill and truckers who were not familiar with the road would naturally come onto that hill unexpectedly without getting into low gear. Since that time, because of the request made to the highway department, there has been a safety measure applied in that particular area. All truckers must stop at the top of the hill and check the condition of their brakes to be sure they are all right before they start down the hill. So there has been something done in the particular case spoken about.

The SPEAKER. The Chair recognizes the gentleman from Blair, Mr. Holliday.

Mr. HOLLIDAY. Mr. Speaker, there has been a great deal of talk about safety so far as the 40-foot trailers are concerned. Like everybody else in this House, I am very much interested in safety and I will not go along with the fact that the trailers are to blame for all the accidents

we have on the road. I venture to say that as far as safety and living up to the law is concerned there is not a member sitting in this House right now who does not break the law every time he comes to Harrisburg or goes home, and that includes the speaker.

As far as tractor-trailer safety is concerned, I think it is a known fact that 95 percent of the trailers operating on the highways today are equipped with air brakes. If they are not equipped with air brakes they possibly have what is called the booster brake, both of which are very efficient. They also have a separate trailer brake, a supplementary brake, with a valve mounted on the steering gear of the tractor. They are also equipped with what is called a bleed-back valve. That bleed-back valve is a separate control which can be set anywhere from 30 or 40 percent up to 60 percent with air pressure. When the pressure falls below a set point, the trailer brakes alone are automatically actuated. There is no need for additional emergency brakes on the present equipment. The Interstate Commerce Commission has covered that very thoroughly in their requirements. Some of the ICC requirements are not followed through with the PUC requirements.

I have been a little curious why certain industries are seemingly against the 40-foot trailer. There are many industries in this State of a particular type of industry that are operating 40-foot trailers. There are also industries to which the 40-foot trailer will mean additional business. I refer to the piggy-back service on railroads.

I asked a gentleman this morning why the railroads seemingly were lobbying against the passage of the 40-foot trailer. His answer was that if the 40-foot trailer passed today, next year they would come back here and there would be a 73,000-lb. gross vehicle weight go into effect. I do not agree with that because I would not vote for that myself and I do not think very many people here in the House would.

But I asked this gentleman, "What happens to your piggy-back service if a company in Chicago ships on one of your 80-foot flat cars two 40-foot trailers to Harrisburg? What happens to those two trailers when they get here?"

Well, he said, "We would take them off and deliver them."

I said, "No, you would not."

He said, "Under the reciprocity act between States, if the other State has lived up to all the requirements, we would be able to take those trucks and through reciprocity deliver them to wherever they had to go."

Mr. Speaker, we have checked since that conversation with the Department of Highways and Bureau of Motor Vehicles and we are told that no 40-foot trailers can be operated on the roads of Pennsylvania without a special permit given for each operation.

We were asked several times during the year to vote on certain bills which would possibly put a few more men to work with the understanding that it was so-called "featherbedding." Here we have three industries in Pennsylvania that I know of that came in here. I think they were brought in by the Pennsylvania Industrial Development Authority. The taxpayers of Pennsylvania put up certain money to bring those concerns into Pennsylvania and now those concerns, having come in here, built their factories, and put men to work, are now possibly in a posi-

tion where they will have to move out of the State. That means several thousand employes will be put out of work. I think this becomes an economic factor to be considered. Are we going to drive industry out of the State of Pennsylvania or are we going to do everything we can within this legislature to bring industry into Pennsylvania?

I urge everybody to vote for the 40-foot-trailer bill. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Leonard.

Mr. LEONARD. Mr. Speaker, the record will show how I stand on heavy trucks going over the highways. There are many reasons but the most important reason to me at this time is the safety of the public. If you check the records you will find out time after time what has happened when a truck driver loses control due to inefficient braking and sometimes loses his life. Is that not more important than having the trucking industry use one truck instead of two and keep more people at work? Do not try to tell me that they want five feet more just to have a 40-foot truck. They want five feet more to haul more and more, like they did before, time after time. The record proves that; there is no question about that. Let us use our heads in here. We have many facilities to haul any kind of load you want to haul safely, but we do not have to haul it on a truck and knock people out of work. That is what it is going to do. If anybody knows the danger of these big trucks, it is the man who operates the trucks. We have direct telephone requests from truck drivers telling us not to vote for this bill. They are scared to death of it as it is now. About four or six years ago they asked for the weight that they are now using, and I went against that weight and I lost and they were granted that weight. But during the time that the bill was on the calendar, on my way over to Harrisburg and back, every time I stopped at a service station I checked in with the truck drivers that were there. I failed to run into one truck driver who wanted a heavier truck. The truck drivers of Allegheny County, western Pennsylvania, do not want this heavy truck.

Is making more money more important than the lives of these men who operate these trucks? Not in my opinion. We are killing too many people as it is right now. Use your own judgment and see how you feel about whether this is just or unjust.

They do not want this five feet just to have five feet. Now do not try to kid people. They want five feet more on their trucks to haul more and more. Instead of two trucks going out there will be one truck going out. Think it over, members, to that effect. Decide for yourselves which is right and which is wrong.

On the question recurring,

Shall the bill pass finally?

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—80

Adams,	Galley,	Long, Wm. Jos.,	Slack,
Anderson, J. H.,	George,	Magee,	Snare,
Ashton,	Gibb,	Manbeck,	Steckel,
Bachman,	Goldstein, J. H.,	Markley,	Stiteler,
Backenstoe,	Goldstein, M. H.,	Marsh,	Strausser,
Bonner,	Goodrich,	McCandless,	Thompson,

Breth, Cioffi, Cooley, Crossin, Davis, Dennison, Down, Elvey, Eshleman, Esler, Fetterolf, Foor, Fry, Fulmer,	Gross, Heffner, Henzel, Holliday, Horst, Johnson, A. W., Johnson, R. P., King, Kistler, Knecht, Korns, Kramer, Lee, K. B., Long, Wm. Jas.,	McDevitt, McDonald, Meholchick, Merry, Murphy, Murray, O'Dell, Piper, Polen, Price, Reibman, Rutherford, Schaaf, Shupnik,	Tompkins, Trusio, Verona, Weidner, Wescott, Willard, Willaredt, Williams, E. S., Wood, Wynd, Yetter, Zember, Zimmerman, Andrews,
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Speaker

NAYS—102

Anderson, S. A., Arlene, Blair, Boles, Bossert, Bower, Branca, Capano, Capitolo, Cianfrani, Clarke, Comer, Dengler, Donaldson, Dougherty, Doughten, Edwards, Eilberg, Eshback, Ewing, Farabaugh, Filo, Flynn, Frascella, Gallagher, Gelfand,	Gibbons, Gray, Greenlee, Gremminger, Guesman, Guthrie, Hamilton, Hankins, Hartley, Heavey, Helm, Hocker, Holl, Holman, Irvis, Isaacs, Jenkins, Jim, Jones, Kamyk, Keiser, Kelly, Kernaghan, Kessler, Kooker, Kornick,	Lamb, Lawson, Lee, A. M., Leonard, Lämper, Lutty, Maxwell, May, McCann, McKeever, McLaughlin, McNally, Miller, Mills, Monroe, Morley, Mullen, Munley, Musto, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, Parlante, Perry,	Petrosky, Polaski, Pursley, Reidenbach, Renwick, Rovansek, Rubin, Sakulsky, Scarcelli, Schuster, Shelton, Sherman, Simmons, Stank, Stone, Sullivan, J. A., Sullivan, T. F., Taylor, Varnier, Wall, Wargo, Whittaker, Williams, A. D., Wilt, Worley,
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NOT VOTING—28

Auker, Bowman, Buchanan, Bush, Cauley, Curwood, Fineman,	Forester, Fox, Gramlich, Haudenshield, Klein, Lippincott, McCormack,	McInroy, Mihm, Needham, Pashley, Prendergast, Riley, Royer,	Rudisill, Seltzer, Stimmel, Tomascik, Ujobai, Walsh, Welsh,
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Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

(DURING ROLL CALL)

The SPEAKER. For what purpose does the gentleman from Bucks rise?

Mr. A. D. WILLIAMS, Jr. To inquire of the Speaker whether House Rule 66 is being complied with.

The SPEAKER. The Chair will read the rule: Every member shall be present within the hall of the House during its sittings, unless excused by the House, or unavoidably prevented, and shall vote for or against each question put, unless he has a direct personal or pecuniary interest in the determination of the question, or unless he is excused by the House.

REASONS FOR VOTE

Mr. GALLAGHER filed the following reasons for his vote on Senate bill 104:

Mr. Speaker, originally I voted to amend Senate bill No. 104 to permit the operation of 40-foot trailers in the State of Pennsylvania. However, today I voted against the bill because I will not tolerate intimidation, threats and pressure to vote one way or another.

Mr. FULMER. Mr. Speaker, I would like to ask unanimous consent to interrogate the gentleman from Allegheny, Mr. Filo, briefly.

The SPEAKER. Is the interrogation pertinent to anything pending before the House.

Mr. FULMER. It is pertinent to the statements made by Mr. Filo.

The SPEAKER. With unanimous consent, the gentleman can proceed, but the Chair hears objection.

Mr. FULMER. Mr. Speaker, I respect the decision of the members.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate bill No. 201, entitled:

An Act amending the act of June 24, 1937 (P. L. 2017), entitled "County Institution District Law," further regulating the powers and duties of local authorities as to persons in foster homes and as to children and youth and further regulating payments for care.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Adams, Anderson, J. H., Anderson, S. A., Arlene, Ashton, Auker, Bachman, Backenstoe, Bonner, Bossert, Bower, Branca, Breth, Buchanan, Bush, Capano, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Davis, Dengler, Dennison, Donaldson, Dougherty, Doughten, Edwards, Eilberg, Eshback, Ewing, Farabaugh, Fetterolf, Filo, Flynn, Frascella, Fry, Fulmer, Galley,	Gallagher, Gelfand, George, Gibb, Gibbons, Goldstein, J. H., Goldstein, M. H., Goodrich, Gray, Greenlee, Gremminger, Gross, Guesman, Guthrie, Hamilton, Hankins, Hartley, Heavey, Heffner, Helm, Henzel, Hocker, Holl, Holman, Horst, Irvis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Keiser, Kernaghan, Kessler, King, Kistler, Knecht, Kooker, Kornick, Korns, Kramer, Lamb,	Lawson, Lee, A. M., Lee, K. B., Leonard, Lämper, Long, Wm. Jas., Long, Wm. Jos., Lutty, Magee, Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McDevitt, McDonald, McKeever, McLaughlin, Meholchick, Merry, Miller, Mills, Monroe, Morley, Mullen, Munley, Murphy, Murray, Musto, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, Parlante, Perry, Petrosky, Piper, Polaski, Polen, Prendergast, Price,	Pursley, Reibman, Renwick, Rovansek, Rubin, Rudisill, Rutherford, Sakulsky, Scarcelli, Schaaf, Schuster, Shelton, Sherman, Shupnik, Simmons, Slack, Snare, Stank, Steckel, Stiteler, Stone, Strausser, Sullivan, J. A., Sullivan, T. F., Thompson, Tompkins, Varnier, Verona, Wall, Wargo, Weidner, Wescott, Whittaker, Willard, Willaredt, Williams, A. D., Williams, E. S., Wood, Worley, Wynd, Yetter, Zember, Zimmerman, Andrews,
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Speaker

NAYS—1

Taylor,

NOT VOTING—32

Blair, Boles, Bowman, Capitolo, Cauley,	Fox, Gramlich, Haudenshield, Holliday, Kelly,	McInroy, McNally, Mihm, Needham, Pashley,	Seltzer, Stimmel, Tomascik, Trusio, Ujobai,
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Curwood,
Down,
Fineman,

Klein,
Lippincott,
McCormack,

Reidenbach,
Riley,
Royer,

Walsh,
Welsh,
Wilt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate bill No. 312, entitled:

An Act amending the act of July 24, 1913 (P. L. 965), entitled "Commodities Weight and Measure Law," requiring additional markings on certain packages.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—178

Adams,	Gelfand,	Lee, K. B.,	Renwick,
Anderson, J. H.,	George,	Leonard,	Rovansek,
Anderson, S. A.,	Gibb,	Limper,	Rubin,
Arlene,	Gibbons,	Long, Wm. Jas.,	Rudisill,
Ashton,	Goldstein, J. H.,	Long, Wm. Jos.,	Rutherford,
Auker,	Goldstein, M. H.,	Lutty,	Sakulsky,
Backenstoe,	Goodrich,	Magee,	Scarcelli,
Blair,	Gray,	Manbeck,	Schaaf,
Bonner,	Greenlee,	Markley,	Schuster,
Bossert,	Gremminger,	Marsh,	Shelton,
Bower,	Gross,	May,	Sherman,
Branca,	Guesman,	McCandless,	Shupnik,
Breth,	Guthrie,	McCann,	Simmons,
Buchanan,	Hamilton,	McDevitt,	Slack,
Bush,	Hankins,	McDonald,	Snare,
Capano,	Hartley,	McKeever,	Stank,
Capitolo,	Heavey,	McLaughlin,	Stankel,
Cianfrani,	Heffner,	McNally,	Stiteler,
Cioffi,	Helm,	Meholchick,	Stone,
Clarke,	Henzel,	Merry,	Steckel,
Comer,	Hocker,	Miller,	Strausser,
Crossin,	Holl,	Mills,	Sullivan, J. A.,
Davis,	Holman,	Monroe,	Sullivan, T. F.,
Dengler,	Horst,	Morley,	Taylor,
Dennison,	Irviss,	Mullen,	Thompson,
Donaldson,	Isaacs,	Munley,	Tompkins,
Dougherty,	Jenkins,	Murphy,	Varner,
Doughten,	Jim,	Murray,	Verona,
Edwards,	Johnson, A. W.,	Musto,	Wall,
Eilberg,	Johnson, R. P.,	O'Dell,	Wargo,
Elvey,	Jones,	O'Donnell, J. A.,	Weidner,
Eshleman,	Kamyk,	O'Donnell, J. P.,	Wescott,
Esler,	Kelser,	Odoriso,	Whittaker,
Ewing,	Kelly,	Ogilvie,	Willard,
Farabaugh,	Kernaghan,	Parlante,	Willaredt,
Fetterolf,	Kessler,	Perry,	Williams, A. D.,
Filo,	King,	Petrosky,	Williams, E. S.,
Flynn,	Kistler,	Piper,	Wilt,
Forester,	Knecht,	Polaski,	Wood,
Foor,	Kooker,	Polen,	Worley,
Frascella,	Korns,	Prendergast,	Wynd,
Fry,	Kramer,	Price,	Yetter,
Fulmer,	Lamb,	Pursley,	Zember,
Galley,	Lawson,	Reibman,	Zimmerman,
Gallagher,	Lee, A. M.,		Andrews,

Speaker

NAYS—4

Cooley,	Eshback,	Holliday,	Trusio,
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NOT VOTING—28

Bachman,	Fox,	McCormack,	Royer,
Botes,	Gramlich,	McInroy,	Seltzer,
Bowman,	Haudenshield,	Mihm,	Stimmel,
Cauley,	Klein,	Needham,	Tomasick,
Curwood,	Kornick,	Pashley,	Ujobal,
Down,	Lippincott,	Reidenbach,	Walsh,
Fineman,	Maxwell,	Riley,	Welsh,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate bill No. 472, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code," requiring a copy of the application to be sent to the police or the sheriff where the seller's place of business is located and where the buyer resides.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—176

Adams,	Gallagher,	Lawson,	Renwick,
Anderson, J. H.,	Gelfand,	Lee, A. M.,	Rovansek,
Anderson, S. A.,	George,	Lee, K. B.,	Rubin,
Arlene,	Gibb,	Leonard,	Rudisill,
Ashton,	Gibbons,	Limper,	Rutherford,
Auker,	Goldstein, J. H.,	Long, Wm. Jas.,	Sakulsky,
Backenstoe,	Goldstein, M. H.,	Long, Wm. Jos.,	Scarcelli,
Blair,	Goodrich,	Lutty,	Schaaf,
Bonner,	Gray,	Magee,	Schuster,
Bossert,	Greenlee,	Manbeck,	Shelton,
Bower,	Gremminger,	Markley,	Sherman,
Branca,	Gross,	Marsh,	Shupnik,
Breth,	Guesman,	Maxwell,	Simmons,
Buchanan,	Guthrie,	May,	Slack,
Bush,	Hamilton,	McCandless,	Snare,
Capano,	Hankins,	McCann,	Stank,
Capitolo,	Hartley,	McDevitt,	Stankel,
Cianfrani,	Heavey,	McDonald,	Stiteler,
Cioffi,	Heffner,	McKeever,	Stone,
Clarke,	Helm,	McLaughlin,	Strausser,
Comer,	Henzel,	Meholchick,	Sullivan, J. A.,
Cooley,	Hocker,	Merry,	Sullivan, T. F.,
Crossin,	Holl,	Miller,	Taylor,
Davis,	Holman,	Mills,	Thompson,
Dengler,	Horst,	Monroe,	Tompkins,
Dennison,	Irviss,	Morley,	Varner,
Donaldson,	Isaacs,	Mullen,	Verona,
Dougherty,	Jenkins,	Munley,	Wall,
Doughten,	Jim,	Murphy,	Wargo,
Edwards,	Johnson, A. W.,	Murray,	Weidner,
Eilberg,	Johnson, R. P.,	Musto,	Wescott,
Eshleman,	Jones,	O'Dell,	Whittaker,
Esler,	Kamyk,	O'Donnell, J. A.,	Willard,
Ewing,	Kelser,	O'Donnell, J. P.,	Willaredt,
Farabaugh,	Kernaghan,	Odoriso,	Williams, A. D.,
Fetterolf,	Kessler,	Ogilvie,	Williams, E. S.,
Filo,	King,	Parlante,	Wilt,
Flynn,	Kistler,	Perry,	Wood,
Forester,	Knecht,	Polaski,	Worley,
Foor,	Kooker,	Polen,	Wynd,
Frascella,	Kornick,	Prendergast,	Yetter,
Fry,	Korns,	Price,	Zember,
Fulmer,	Kramer,	Pursley,	Zimmerman,
Galley,	Lamb,	Reidenbach,	Andrews,

Speaker

NAYS—4

Elvey,	Eshback,	Holliday,	Trusio,
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NOT VOTING—30

Bachman,	Gramlich,	Mihm,	Royer,
Botes,	Haudenshield,	Needham,	Seltzer,
Bowman,	Kelly,	Pashley,	Stimmel,
Cauley,	Klein,	Petrosky,	Tomasick,
Curwood,	Lippincott,	Piper,	Ujobal,
Doughten,	McCormack,	Reibman,	Walsh,
Fineman,	McInroy,	Riley,	Welsh,
Fox,	McNally,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

DEMOCRATIC CAUCUS

The SPEAKER. The Chair recognizes the majority leader.

Mr. McCANN. Mr. Speaker, we have made arrangements for a break for lunch and a short caucus. I ask that the Democratic members bring their House calendars with them to the caucus.

I will ask for a recess for one hour and a half for the purpose of a caucus and lunch. We will have lunch first. Members who have bills to amend, I ask that we amend those bills that have been agreed to at this time.

Come to the caucus room at 15 minutes to 2, daylight saving time. We will take 30 minutes for lunch. After the caucus we will return to the floor of the House, when I ask that we take up concurrences on bills and the other Senate bills. I yield to the minority leader.

REPUBLICAN CAUCUS

Mr. A. W. JOHNSON. Mr. Speaker, we will have a caucus also. We will have lunch the first half-hour and caucus at a quarter of two.

Mr. HELM IN THE CHAIR

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 405, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," further regulating suspensions of operators' licenses or learners' permits for violation of maximum speed limits.

On the question,

Will the House agree to the bill on third reading?

Mr. SHERMAN asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Sec. 1 (Sec. 618), page 2, line 14, by inserting after "hour": "And provided further, That in any instance in which the speed of a vehicle is timed by officers of the Pennsylvania State Police through the use of radiomicro-waves, commonly referred to as electronic speed meters or radar, the operator's license or learner's permit of any person shall not be suspended for any violations of maximum speed limits, except if the speed recorded is six or more miles per hour in excess of the legal speed limit."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1810, entitled:

An Act amending the act of June 19, 1911 (P. L. 1055), entitled "An act authorizing the release on probation of certain convicts instead of imposing sentences * * *" by further regulating the manner of sentencing of convicts in certain cases.

On the question,

Will the House agree to the bill on third reading?

Mr. IRVIS asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Title, page 2, last line of Title, by striking out "of convicts" and inserting: "convicts and providing for their rehabilitation and release."

Amend Preamble, page 2, sixteenth and seventeenth lines of Preamble, by striking out "in large part."

Amend Preamble, page 2, seventeenth line of Preamble, by inserting after "the": "additional."

Amend Preamble, page 2, eighteenth line of Preamble, by striking out "This without cost to the Commonwealth This" and inserting: "The program will be without cost to the Commonwealth requiring only the utilization of existing facilities and personnel. This."

Amend Preamble, page 3, second to fifth lines of Preamble, by striking out "in a" in the second line, all of third and fourth lines, and "instead of a possible parole after a longer minimum term" in the fifth line and inserting: "after six months or at such later time as their rehabilitation has been established, is a progressive, realistic approach to the problem of non-violent crimes."

Amend Preamble, page 3, sixth line of Preamble, by striking out "experiment" and inserting: "program."

Amend Preamble, page 3, sixth and seventh lines of Preamble, by striking out "in dollars and."

Amend Preamble, page 3, seventh and eighth lines of Preamble, by striking out "The risk if any is outweighed by the possible rewards" and inserting: "and in the saving of taxpayers' money for the Commonwealth."

Amend Sec. 1 (Sec. 6), page 4, line 4, by inserting after "battery": "with intent to kill or maim or rob."

Amend Sec. 1 (Sec. 6), page 4, line 4, by striking out "bombs deadly weapons explosion."

Amend Sec. 1 (Sec. 6), page 4, lines 5 and 6, by striking out "levying war and assisting enemies of the State mayhem sale or possession of narcotics and riots" and inserting: "mayhem and riots and the crimes involving bombs, deadly weapons, explosives or sale or possession of narcotics."

Amend Sec. 1 (Sec. 6), page 5, lines 11 to 13, by striking out "in all cases where the maximum sentence is two years or" in line 11, all of lines 12 and 13 and inserting: "provided, however, the judge may pronounce a sentence for a fixed term of thirty days."

Amend Sec. 1 (Sec. 6), page 5, line 18, by striking out "shall be formulated with a view" and inserting: "has been formulated for the."

Amend Sec. 1 (Sec. 6), page 6, line 10, by inserting after "recommendations": "in writing."

Amend Sec. 1 (Sec. 6), page 6, line 17, by striking out "(A)" and inserting: "(a)."

Amend Sec. 1 (Sec. 6), page 6, line 17, by inserting after "hereof": "No court shall have the right to sentence for a sex crime under Section 6 (b) hereof."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1818, entitled:

An Act amending the "Unemployment Compensation Law," approved December 5, 1936 (1937 P. L. 2897), modifying certain provisions as to eligibility of individuals while in training or when permanently separated or when separated from a family enterprise.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 616, entitled:

An Act amending the act of June 23, 1931 (P. L. 932), entitled "The Third Class City Code," providing for the creation by ordinances of the office of city manager.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Cities—Third Class.

The motion was agreed to.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY THE HOUSE

The clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House bill No. 254, entitled:

An Act amending the act of June 2, 1915 (P. L. 736), entitled as amended "The Pennsylvania Workmen's Compensation Act," requiring employers to furnish employees with instructions on their rights in the event of an accident and requiring the Secretary of Labor and Industry to supply such instructions to employers.

And has appointed Messrs. MAHADY, MURRAY, HAW-BAKER and a committee of conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the differences between the two Houses in relation to said bill.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 254

The SPEAKER pro tempore. The Speaker has appointed as a Committee of Conference on the part of the House, Messrs. CAPANO, SAKULSKY and BOWMAN.

Ordered, that the clerk inform the Senate accordingly.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY THE HOUSE

The clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House bill No. 255, entitled:

An Act amending the act of June 21, 1939 (P. L. 566), entitled "The Pennsylvania Occupational Disease Act," requiring employers to furnish employees with instructions on their rights in the event of disability or death caused by occupational disease and requiring the Secretary of Labor and Industry to supply such instructions to employers.

And has appointed Messrs. MAHADY, MURRAY, HAW-BAKER and a committee of conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the differences between the two Houses in relation to said bill.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 255

The SPEAKER pro tempore. The Speaker has appointed as a Committee of Conference on the part of the House, Messrs. CAPANO, SAKULSKY and BOWMAN.

Ordered, that the clerk inform the Senate accordingly.

SENATE MESSAGE

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 65

The clerk of the Senate being introduced, informed that the Senate insists on its non-concurrence in the amendments made and insisted upon by the House of Representatives to Senate bill No. 65, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code," making the sale of regrooved tires without notice thereof a crime.

And has appointed Messrs. ROONEY, LANE and EHR-GOOD a committee of conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the difference existing between the two Houses in relation to said bill.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its amendments non-concurred in by the Senate to Senate bill No. 65 and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 65

The SPEAKER pro tempore. The Speaker has appointed as a Committee of Conference on the part of the House, Messrs. FINEMAN, LIMPER and DENNISON.

Ordered, that the clerk inform the Senate accordingly.

SENATE MESSAGE

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 99

The clerk of the Senate being introduced, informed that the Senate insists on its non-concurrence in the amendments made and insisted upon by the House of Representatives to Senate bill No. 99, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," regulating the issuance of operators' licenses to persons between sixteen and eighteen years of age, restricting their driving privileges and providing penalties.

And has appointed Messrs. LANE, ROONEY, VAN SANT a committee of conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the difference existing between the two Houses in relation to said bill.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its amendments non-concurred in by the Senate to Senate bill No. 99 and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 99

The SPEAKER pro tempore. The Speaker has appointed as a Committee of Conference on the part of the House, Messrs. FINEMAN, LIMPER and FETTEROLF.

Ordered, that the clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED SENATE BILL NON-CONCURRED IN BY SENATE

The clerk of the Senate being introduced, informed that the Senate has non-concurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows:

SENATE BILL No. 88.

An Act amending the act of August 9, 1955 (P. L. 323), entitled "An act relating to counties of the third, fourth, fifth, sixth, seventh and eighth classes, amending, revising, consolidating and changing the laws relating thereto," abolishing county institution districts in counties of the fourth, fifth and sixth classes, transferring their property, powers, duties and obligations to counties prescribing certain further duties of county commissioners with regard to persons in foster homes and as to children and youth and regulating payments for care.

And has appointed Messrs. LANE, RIPP and STEVENSON a Committee of Conference to confer with a similar committee of the House of Representatives (if the House shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its amendments non-concurred in by the Senate to Senate bill No. 88 and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 88

The SPEAKER pro tempore. The Speaker has appointed as a Committee of Conference on the part of the House, Messrs. CIOFFI, FLYNN and TOMPKINS.

Ordered, that the clerk inform the Senate accordingly.

RECONSIDERATION OF VOTE ON HOUSE BILL NO. 1697

Mr. A. D. WILLIAMS, Jr. Mr. Speaker, I move that the vote by which House bill No. 1697, printer's No. 2459, entitled:

"An Act amending 'The County Code,' approved August 9, 1955 (P. L. 323), authorizing the creation of county historical commissions to promote places of historical interest within the county."

was defeated on final passage Tuesday, July 11, 1961, be reconsidered.

Mr. LIMPER. Mr. Speaker, I second the motion.

The SPEAKER pro tempore. How did the gentleman from Bucks, Mr. Williams, vote on the final passage of this bill?

Mr. A. D. WILLIAMS, Jr. Mr. Speaker, I voted with the prevailing side.

The SPEAKER pro tempore. How did the gentleman from Philadelphia, Mr. Limper, vote on the final passage of this bill?

Mr. LIMPER. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED

Mr. McCANN. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

RESOLUTION

HOUSE EMPLOYEES

Mr. McCANN offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, July 12, 1961.

Resolved, That the following named persons are elected employees of this House, as provided by Act No. 428 of 1959, for the position as designated herein, and are to serve for the duration of this session or as their services may be required for the efficient operation of the work of the House, unless sooner removed by the Speaker acting through the Chief Clerk:

CHAPLAIN

David R. Hoover

JOURNAL CLERK

Howard E. Yale

ASS'T JOURNAL CLERK

Roy L. Brungard, Jr.

READING CLERKS	Paul N. Tighe Stanley Appfebaum
MESSAGE CLERK	E. Gadd Snider
ASS'T MESSAGE CLERK	Calvin Gallatin
CHIEF POSTMASTER	William C. Brady
ASS'T POSTMASTERS	Robert D. Stralets Samuel Rothermel Walter Singleton
CHIEF SERGEANT AT ARMS	Harry E. Hertzog
SERGEANTS AT ARMS	John W. Dentzel Nicholas Krill John DiBacco Nathan Walker John F. O'Toole George Bernstein John Burin John Zubeck John Wine, Jr. Charles Losko Elliot Francis Robert Keeler Martin Carr Gerald Mack Ira Graham
CHIEF DOCUMENT CLERK	Harry Michlovitz
DOCUMENT CLERKS	Arthur G. Baylor John J. Foley Frank Forosisky Thomas F. Heiler Archie E. Houdeshel, Jr. Dominic J. Perrone Guidon F. Pisano Luigi Sbraccia Joseph L. Duche Thomas Knoch Harry Steck William I. Shields Stephen Bennett
BILL NUMBERING CLERK	John Piazza
CHIEF MAILING CLERK	William E. Roeder
MAILING CLERKS	Vincent J. DiMonde Mario DiSciascio Lester C. Jolly Jesse T. Pettigrew William Walp Ernest Caterina Jerome Petrosky James Tamecki Joseph Kane
STENOGRAPHERS	Cassandra L. Grant Wilma H. Hopes Anna G. Hyman Goldie B. Marsh Marjane Reich Marian E. Seibert Virginia F. Sweitzer Deborah B. Throop Gertrude C. Woods Virginia Watson Mae O'Keefe Thomas J. Popovich
CHIEF TELEPHONE ATTENDANT	Frank J. Szobocsan
TELEPHONE ATTENDANTS	Mary M. McHale Dolores Pierce
CHIEF PAGE	Stephen C. Miller

PAGES

Joseph W. Heim
Steven J. Lopert
Joseph Wambach
George R. Winger
William Jones
Charles Proudfoot
Edward W. Hahn
William Beaver
Terry Eshenhour

And Be It Further Resolved, That all employees having served in the House in various positions, since the beginning of the Legislative Session, where election by the House was required, are hereby confirmed and approved as having been elected prior hereto.

RECESS

The SPEAKER pro tempore. Without objection, the Chair will declare a recess of one hour and thirty minutes. The Chair hears none, and a recess is declared.

AFTER RECESS

The time of recess having expired, the House was called to order.

Mr. HELM IN THE CHAIR

BILLS INTRODUCED AND REFERRED

By Messrs. SCHAAF and GALLAGHER.

HOUSE BILL No. 1832.

An Act amending "The Fourth to Eighth Class County Assessment Law," approved May 21, 1943 (P. L. 571), prohibiting the underassessment or overassessment of property by the chief assessor or the assessor and providing penalties.

Referred to the Committee on Counties.

By Messrs. SCHAAF and GALLAGHER.

HOUSE BILL No. 1833.

An Act amending "The Fourth to Eighth Class County Assessment Law," approved May 21, 1943 (P. L. 571), changing the basis of assessment for tax purposes, and providing a permanent limitation upon tax revenues.

Referred to the Committee on Counties.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 345.

An act amending the act of July 28, 1953 (P. L. 723), entitled, "An act relating to counties of the second class amending revising consolidating and changing the laws relating thereto" requiring counties to acquire land in fee simple when taking land by eminent domain for the purpose of laying out or opening any road and authorizing sufficient property to be acquired to enable construction of roads of a certain width.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The clerk will read the amendments.

The clerk read the amendments as follows:

Amend Section 1, page 3, line 1, by inserting after the word and figure "Section 1" the word and figures "Section 2601" and Section 2, page 4, line 6, by inserting after the word "Strips" the following: provided that the limits of width shall not be construed to include the width required for necessary slopes in cuts or fills.

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—185

Adams,	Gallagher,	Lawson,	Reibman,
Anderson, J. H.,	Gelfand,	Lee, A. M.,	Reidenbach,
Anderson, S. A.,	George,	Lee, K. B.,	Renwick,
Arlene,	Gibb,	Leonard,	Rovansek,
Ashton,	Gibbons,	Limper,	Rubin,
Auker,	Goldstein, J. H.,	Long, Wm. Jas.,	Rudisill,
Bachman,	Goldstein, M. H.,	Long, Wm. Jos.,	Rutherford,
Backenstoe,	Goodrich,	Lutty,	Sakulsky,
Blair,	Gramlich,	Magee,	Scarcelli,
Bonner,	Gray,	Manbeck,	Schaaf,
Bossert,	Greenlee,	Markley,	Schuster,
Bower,	Gremminger,	Marsh,	Shelton,
Branca,	Gross,	Maxwell,	Sherman,
Breth,	Guesman,	May,	Shupnik,
Buchanan,	Guthrie,	McCandless,	Simmons,
Bush,	Hamilton,	McCann,	Slack,
Capano,	Hankins,	McDevitt,	Snare,
Capitolo,	Hartley,	McDonald,	Stank,
Cianfrani,	Heavey,	McKeever,	Steckel,
Clarke,	Heffner,	McLaughlin,	Stiteler,
Comer,	Helm,	McNally,	Stone,
Cooley,	Henzel,	Meholchick,	Strausser,
Crossin,	Hocker,	Merry,	Sullivan, J. A.,
Davis,	Holl,	Miller,	Sullivan, T. F.,
Dengler,	Holliday,	Mills,	Taylor,
Dennison,	Holman,	Monroe,	Thompson,
Donaldson,	Horst,	Morley,	Tompkins,
Dougherty,	Iris,	Mullen,	Trusio,
Doughten,	Isaacs,	Munley,	Varner,
Down,	Jenkins,	Murphy,	Verona,
Edwards,	Jim,	Murray,	Wall,
Eilberg,	Johnson, R. P.,	Musto,	Wargo,
Elvey,	Jones,	O'Dell,	Weidner,
Eshback,	Kamyk,	O'Donnell, J. A.,	Welsh,
Eshleman,	Keiser,	O'Donnell, J. P.,	Wescott,
Esler,	Kelly,	Odorisio,	Whittaker,
Ewing,	Kernaghan,	Ogilvie,	Willard,
Farabaugh,	Kessler,	Parlante,	Williams, A. D.,
Fetterolf,	King,	Perry,	Williams, E. S.,
Filo,	Kistler,	Petrosky,	Wilt,
Flynn,	Knecht,	Piper,	Wood,
Forester,	Kooker,	Polaski,	Wynd,
Foor,	Kornick,	Polen,	Yetter,
Frascella,	Korns,	Prendergast,	Zember,
Fry,	Kramer,	Price,	Zimmerman,
Fulmer,	Lamb,	Pursley,	Andrews,
Galley,			Speaker

NAYS—0

NOT VOTING—25

Boles,	Haudensfield,	Mihm,	Stimmel,
Bowman,	Johnson, A. W.,	Needham,	Tomasick,
Cauley,	Klein,	Pashley,	Ujobal,
Cioffi,	Lippincott,	Riley,	Walsh,
Curwood,	McCormack,	Royer,	Willaredt,
Fineman,	McInroy,	Seltzer,	Worley,
Fox,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, that the clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 519.

An act amending the act of April 29, 1959 (P. L. 58), entitled, "An act consolidating and revising the Vehicle Code the Tractor Code the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership possession and use of vehicles and tractors" authorizing the use of chemical tests to determine intoxication of persons operating motor vehicles authorizing and making the results of the chemical tests admissible in evidence.

With the information that the Senate had passed the same with amendments in which the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The clerk will read the amendments.

The clerk read the amendments as follows:

Amend Section 1, page 2, line 7, by inserting after the word "that" the following: "he gives specific consent thereto and"; page 4, line 4, by striking out after the word "breath" the words "or blood," and by striking out lines 7 and 8, as follows: "(g) The refusal to submit to a chemical test may be admitted into evidence as a factor to be considered in determining innocence or guilt."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—185

Adams,	Gallagher,	Lawson,	Reidenbach,
Anderson, J. H.,	Gelfand,	Lee, A. M.,	Renwick,
Anderson, S. A.,	George,	Lee, K. B.,	Rovansek,
Arlene,	Gibb,	Leonard,	Rubin,
Ashton,	Gibbons,	Limper,	Rudisill,
Auker,	Goldstein, J. H.,	Long, Wm. Jas.,	Rutherford,
Bachman,	Goldstein, M. H.,	Long, Wm. Jos.,	Sakulsky,
Backenstoe,	Goodrich,	Lutty,	Scarcelli,
Blair,	Gramlich,	Magee,	Schaaf,
Bonner,	Gray,	Manbeck,	Schuster,
Bossert,	Greenlee,	Markley,	Shelton,
Bower,	Gremminger,	Marsh,	Sherman,
Branca,	Gross,	Maxwell,	Shupnik,
Breth,	Guesman,	May,	Simmons,
Buchanan,	Guthrie,	McCandless,	Slack,
Bush,	Hamilton,	McCann,	Snare,
Capano,	Hankins,	McDevitt,	Stank,
Capitolo,	Hartley,	McDonald,	Steckel,
Cianfrani,	Heavey,	McKeever,	Stiteler,
Cioffi,	Heffner,	McLaughlin,	Strausser,
Clarke,	Helm,	McNally,	Sullivan, J. A.,
Comer,	Henzel,	Meholchick,	Sullivan, T. F.,
Cooley,	Hocker,	Merry,	Taylor,
Crossin,	Holl,	Miller,	Thompson,
Davis,	Holliday,	Mills,	Tompkins,
Dengler,	Holman,	Monroe,	Trusio,
Dennison,	Horst,	Morley,	Varner,
Donaldson,	Iris,	Mullen,	Verona,
Dougherty,	Jenkins,	Munley,	Wall,
Doughten,	Jim,	Murphy,	Wargo,
Down,	Johnson, A. W.,	Murray,	Weidner,
Edwards,	Johnson, R. P.,	Musto,	Welsh,
Eilberg,	Jones,	O'Dell,	Wescott,
Elvey,	Kamyk,	O'Donnell, J. A.,	Whittaker,
Eshleman,	Keiser,	O'Donnell, J. P.,	Willard,
Esler,	Kelly,	Ogilvie,	Willaredt,
Ewing,	Kernaghan,	Odorisio,	Williams, A. D.,

Farabaugh, Fetterolf, Filo, Flynn, Forester, Foor, Frascella, Fry, Fulmer, Galley,	Kessler, King, Kistler, Knecht, Kooker, Kornick, Korns, Kramer, Lamb,	Perry, Petrosky, Piper, Polaski, Polen, Prendergast, Price, Pursley, Reibman,	Williams, E. S., Wilt, Wood, Worley, Wynd, Yetter, Zember, Zimmerman, Andrews, Speaker
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NAYS—2

Isaacs,	Parlante,
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NOT VOTING—23

Boies, Bowman, Cauley, Curwood, Eshback, Fineman,	Fox, Haudenshield, Klein, Lippincott, McCormack, McInroy,	Mihm, Needham, Pashley, Riley, Royer, Seltzer,	Stimmel, Stone, Tomasck, Ujobai, Walsh,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, that the clerk inform the Senate accordingly.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mrs. REIBMAN asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by her.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 722.

An Act amending the act of March 10, 1949 (P. L. 30), entitled, "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for the termination of contracts of professional employees.

With the information that the Senate had passed the same with amendments in which the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The clerk will read the amendments.

The clerk read the amendments as follows:

Amend Section 1, page 2, line 17, by inserting after the word "age" the words "of sixty-five or at the age"; line 18, by inserting after the word "receive" the word "full"; line 19, by striking out the following: [Provided That the services of such employe shall not be terminated before age sixty-two] sixty-five

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—187

Adams, Anderson, J. H., Anderson, S. A., Arlene,	Galley, Gallagher, Gelfand, George,	Lawson, Lee, A. M., Lee, K. B., Leonard,	Renwick, Rovanssek, Rubin, Rudisill,
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Ashton, Auker, Bachman, Backenstoe, Blair, Bonner, Bossert, Bower, Branca, Breth, Buchanan, Bush, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Cooley, Crossin, Davis, Dengler, Dennison, Donaldson, Dougherty, Doughten, Down, Edwards, Ellberg, Elvey, Eshback, Eshleman, Esler, Ewing, Farabaugh, Fetterolf, Filo, Flynn, Foerster, Foor, Frascella, Fry, Fulmer,	Gibb, Gibbons, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Gray, Greenlee, Gremminger, Gross, Guesman, Guthrie, Hamilton, Hankins, Hartley, Heavey, Heffner, Helm, Henzel, Hocker, Holl, Holliday, Holman, Horst, Irvlis, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kelsner, Kelly, Kernaghan, Kessler, King, Kistler, Knecht, Kooker, Kornick, Korns, Kramer, Lamb,	Limper, Long, Wm. Jas., Long, Wm. Jos., Lutty, Manbeck, Magee, Markley, Maxwell, May, McCandless, McCann, McDevitt, McDonald, McKeever, McLaughlin, McNally, Meholchick, Merry, Miller, Mills, Monroe, Morley, Mullen, Munley, Murphy, Murray, Musto, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, Parlante, Perry, Petrosky, Piper, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach,	Rutherford, Sakulsky, Scarcell, Schaaf, Schuster, Shelton, Sherman, Shupnik, Simmons, Slack, Snare, Stank, Steckel, Stiteler, Stone, Strausser, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tompkins, Trusio, Varner, Verona, Wargo, Wall, Weidner, Welsh, Wescott, Whittaker, Willard, Willaredt, Williams, A. D., Williams, E. S., Wilt, Wood, Worley, Wynd, Yetter, Zember, Zimmerman, Andrews, Speaker
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NAYS—1

Isaacs,

NOT VOTING—22

Boies, Bowman, Cauley, Curwood, Fineman, Fox,	Haudenshield, Klein, Lippincott, Marsh, McCormack, McInroy,	Mihm, Needham, Pashley, Riley, Royer,	Seltzer, Stimmel, Tomasck, Ujobai, Walsh,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, that the clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 728.

An Act amending the act of May 2, 1929 (P. L. 1518), entitled as amended, "An act regulating the construction equipment maintenance operation and inspection of elevators granting certain authority to and imposing certain duties upon the Department of Labor and Industry providing fees for inspection of elevators certificates of operation and approval of plans providing penalties for violations of this act and repealing all acts or parts of acts inconsistent with this act" changing the definition of "elevator" and regulating the repairing and renovating of elevators, requiring permits and fixing fees for permits, inspections and certificates.

With the information that the Senate had passed the same with amendments in which the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The clerk will read the amendments.

The clerk read the amendments as follows:

Amend Section 1, page 3, line 8, by inserting after the word "inspectors" the following: and shall not include elevators hoists and lifting apparatus used on farms and except elevators hoists and lifting or lowering apparatus used in raising and lowering a car cage or platform in any ore mine.

Section 3, page 6, line 2 by striking out after the words and figure "five dollars (\$5)" the following: Where minor repairs as defined by rules and regulations established by the department involving replacement of malfunctioning parts or equipment or parts or equipment which are worn the person or firm making such repairs must file an application with the department for approval The fee for such application shall be three dollars (\$3)

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—187

Adams,	Gelfand,	Lee, A. M.,	Renwick,
Anderson, J. H.,	George,	Lee, K. B.,	Rovansek,
Anderson, S. A.,	Gibb,	Leonard,	Rubin,
Arlene,	Gibbons,	Limper,	Rudisill,
Ashton,	Goldstein, J. H.,	Long, Wm. Jas.,	Rutherford,
Bachman,	Goldstein, M. H.,	Long, Wm. Jos.,	Sakulsky,
Backenstoe,	Goodrich,	Lutty,	Scarcelli,
Blair,	Gramlich,	Magee,	Schaaf,
Bonner,	Gray,	Manbeck,	Schuster,
Bossert,	Greenlee,	Markley,	Shelton,
Branca,	Gremminger,	Marsh,	Sherman,
Breth,	Gross,	Maxwell,	Shupnik,
Buchanan,	Guesman,	May,	Slimmons,
Bush,	Guthrie,	McCandless,	Slack,
Capano,	Hamilton,	McCann,	Snare,
Capitolo,	Hankins,	McDevitt,	Stank,
Cianfrani,	Hartley,	McDonald,	Steckel,
Cioffi,	Heavey,	McKeever,	Stiteler,
Clarke,	Heffner,	McLaughlin,	Stone,
Comer,	Helm,	McNally,	Strausser,
Cooley,	Henzel,	Meholchick,	Sullivan, J. A.,
Crossin,	Hocker,	Merry,	Sullivan, T. F.,
Davis,	Holl,	Miller,	Taylor,
Dengler,	Holliday,	Mills,	Thompson,
Dennison,	Holman,	Monroe,	Tompkins,
Donaldson,	Horst,	Morley,	Trusio,
Dougherty,	Irvie,	Mullen,	Verner,
Doughten,	Isaacs,	Munley,	Verona,
Down,	Jenkins,	Murphy,	Wall,
Edwards,	Jim,	Murray,	Wargo,
Eilberg,	Johnson, A. W.,	Musto,	Weidner,
Elvey,	Johnson, R. P.,	O'Dell,	Welsh,
Eshback,	Jones,	O'Donnell, J. A.,	Wescott,
Eshleman,	Kamyk,	O'Donnell, J. P.,	Whittaker,
Esler,	Keiser,	Ogilvie,	Willard,
Ewing,	Kelly,	Odorisio,	Willaredt,
Farabaugh,	Kernaghan,	Parlante,	Williams, A. D.,
Fetterolf,	Kessler,	Perry,	Williams, E. S.,
Filo,	King,	Petrosky,	Wilt,
Flynn,	Kistler,	Piper,	Wood,
Forester,	Knecht,	Polaski,	Worley,
Foor,	Kooker,	Polen,	Wynd,
Frascella,	Kornick,	Prendergast,	Yetter,
Fry,	Korns,	Price,	Zember,
Fulmer,	Kramer,	Pursley,	Zimmerman,
Galley,	Lamb,	Reibman,	Andrews,
Gallagher,	Lawson,	Reidenbach,	Speaker

NAYS—1

Auker,

NOT VOTING—22

Boles,	Fox,	Mihm,	Seltzer,
Bower,	Haudenshield,	Needham,	Stimmel,
Bowman,	Klein,	Pashley,	Tomascik,
Cauley,	Lippincott,	Riley,	Ujohal,
Curwood,	McCormack,	Royer,	Walsh,
Fineman,	McInroy,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and, the amendments were concurred in.

Ordered, that the clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 853.

An Act amending the act of June 24, 1931 (P. L. 1206), entitled, "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" authorizing a change in the compensation of certain township commissioners.

With the information that the Senate had passed the same with amendments in which the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The clerk will read the amendments.

The clerk read the amendments as follows:

Amend Section 1, page 2, line 12, by striking out after the word "more" the words "but less than twenty thousand and"; line 13, by striking out after the word "dollars" the following: "in townships having a population of twenty thousand or more."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, that the clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 990.

An Act amending the act of April 12, 1951 (P. L. 90), entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and

townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" prohibiting the offer and sale of malt and brewed beverages below cost by distributors and importing distributors and fixing penalties

With the information that the Senate had passed the same with amendments in which the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The clerk will read the amendments.

The clerk read the amendments as follows:

Amend Title, page 2, by striking out at the beginning of the 7th line the words "prescribing the prices at which" and inserting in lieu thereof the words "prohibiting the offer and sale of"; line 8 of title by striking out after the word "beverages" the words "may be sold" and inserting in lieu thereof the words "below cost"; Section 1, page 3, line 5, by striking out after the word "distributors" the following: at a price established with the intent of unfairly diverting trade from or otherwise injuring a competitor or with the result of substantially lessening competition unreasonably restraining trade or tending to create a monopoly and any offer to sell or sale of any malt or brewed beverage in the Commonwealth of Pennsylvania by any distributor or importing distributor line 11, by striking out after the word "act" the words "are unfair methods" and inserting in lieu thereof the words "is an unfair method"; page 4, line 10, by striking out after the word "Beverages" the following: All prices for malt or brewed beverages offered or sold within the Commonwealth by any distributor or importing distributor shall not be discriminatory and must be uniform as to the class of purchaser Under no circumstances shall a quantity discount or allowance of any kind be given to any trade buyer or direct consumer by such licensee Further it

and inserting in lieu thereof the word "It"; page 5, line 4, by inserting after the part word "tributor" the following: nor shall any such distributor or importing distributor purchasing a brand product from an original supplier thereof offer or sell such brand product at a price less than that established by the original supplier page 5, line 20, by striking out after the word "act" the following: or at a price established with the intent of unfairly diverting trade from or otherwise injuring a competitor or with the result of substantially lessening competition unreasonably restraining trade or tending to create a monopoly

page 6, line 6, by striking out after the word "provided" the following: for any other violation of this act Proof of any such offer to sell or sale in contravention of the policy of this act shall be prima facie evidence of intent to injure competitors and to destroy or substantially lessen competition Any distributor or importing distributor aggrieved by such action of the board may offer proof of a lower cost of doing business if such offer be based on accepted accounting practices and on actual existing conditions in the geographical marketing area within which the aggrieved party conducts his business operations

and inserting in lieu thereof "in Section 494."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, that the clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate being introduced, returned

bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1025.

An Act Authorizing and directing the Governor on behalf of the Commonwealth of Pennsylvania to execute an interstate compact concerning mental health and for related purposes.

With the information that the Senate had passed the same with amendments in which the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The clerk will read the amendments.

The clerk read the amendments as follows:

Amend Section 1, Article VIII, page 10, line 11, by inserting after the word "appointment" the following: No mentally ill or mentally deficient patient shall be transferred between party States until consent has been obtained from the person legally responsible for the patient's maintenance

Section 6, page 15, by inserting after line 12, the following: having been duly and properly committed or admitted pursuant to the laws of the Commonwealth of Pennsylvania

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—184

Adams,	Fulmer,	Kramer,	Price,
Anderson, J. H.,	Gailey,	Lamb,	Pursley,
Anderson, S. A.,	Gallagher,	Lawson,	Reibman,
Arlene,	Gelfand,	Lee, A. M.,	Reidenbach,
Ashton,	George,	Lee, K. B.,	Rovansek,
Auker,	Gibb,	Leonard,	Rubin,
Bachman,	Gibbons,	Limper,	Rudisill,
Backenstoe,	Goldstein, J. H.,	Long, Wm. Jas.,	Rutherford,
Blair,	Goldstein, M. H.,	Long, Wm. Jos.,	Sakulsky,
Bonner,	Goodrich,	Lutty,	Schaa,
Bossert,	Gramlich,	Magee,	Schuster,
Bower,	Gray,	Manbeck,	Shelton,
Branca,	Greenlee,	Markley,	Sherman,
Breth,	Gremminger,	Marsh,	Shupnik,
Buchanan,	Gross,	Maxwell,	Simmons,
Bush,	Guesman,	May,	Slack,
Capano,	Guthrie,	McCandless,	Snare,
Capitolo,	Hamilton,	McCann,	Stank,
Cianfrani,	Hankins,	McDevitt,	Steckel,
Cioffi,	Hartley,	McDonald,	Stiteler,
Clarke,	Heavey,	McKeever,	Stone,
Comer,	Heffner,	McLaughlin,	Strauser,
Cooley,	Helm,	McNally,	Sullivan, T. F.,
Crossin,	Henzel,	Meholchick,	Thompson,
Davis,	Hocker,	Merry,	Tompkins,
Dengler,	Holl,	Miller,	Trusio,
Dennison,	Holliday,	Mills,	Verona,
Donaldson,	Holman,	Monroe,	Varnier,
Dougherty,	Horst,	Morley,	Wall,
Doughten,	Irvis,	Mullen,	Wargo,
Down,	Jenkins,	Munley,	Weidner,
Edwards,	Jim,	Murphy,	Welsh,
Eilberg,	Johnson, A. W.,	Murray,	Wescott,
Elvey,	Johnson, R. P.,	Musto,	Whittaker,
Eshback,	Jones,	O'Dell,	Willard,
Eshleman,	Kamyk,	O'Donnell, J. A.,	Willaredt,
Esler,	Kelser,	O'Donnell, J. P.,	Williams, A. D.,
Ewing,	Kelly,	Ogilvie,	Williams, E. S.,
Farabaugh,	Kernaghan,	Odorisko,	Wilt,
Fetterolf,	Kessler,	Parlante,	Wood,
Filo,	King,	Perry,	Worley,
Flynn,	Kistler,	Petrosky,	Wynd,
Forester,	Knecht,	Piper,	Yetter,
Foor,	Kooker,	Polaski,	Zember,
Fracella,	Kornick,	Polen,	Zimmerman,
Fry,	Korns,	Prendergast,	Andrews,

Speaker

NAYS—1

Isaacs,

NOT VOTING—25

Boies,
Bowman,
Cauley,
Curwood,
Fineman,
Fox,
Haudenschild,

Klein,
Lippincott,
McCormack,
McInroy,
Mihm,
Needham,

Pashley,
Renwick,
Riley,
Royer,
Scarcelli,
Seltzer,

Stimmel,
Sullivan, J. A.,
Taylor,
Tomasck,
Ujobal,
Walsh,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, that the clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1293.

An Act Amending the act of April 29, 1937 (P. L. 487), entitled as amended "An act to provide for the permanent personal registration of electors in cities of the second class A cities of the third class boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens political bodies registration commissions commissioners registrars inspections of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers, registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" changing provisions for proof of citizenship for certain persons previously registered.

With the information that the Senate had passed the same with amendments in which the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The clerk will read the amendments.

The clerk read the amendments as follows:

Amend Section 1, page 4, line 14, by striking out after the word "within" the word "three" and inserting in lieu thereof the word "two."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—182

Adams,
Anderson, J. H.
Anderson, S. A.,

Galley,
Gallagher,
Gelfand,

Lamb,
Lawson,
Lee, A. M.,

Pursley,
Reibman,
Reidenbach,

Arlene,
Ashton,
Auker,
Bachman
Backenstoe,
Blair,
Bonner,
Bossert,
Bower,
Breth,
Buchanan,
Bush,
Capano,
Capitolo,
Cianfrani,
Cioffi,
Clarke,
Comer,
Cooley,
Crossin,
Davis,
Dengler,
Dennison,
Donaldson,
Dougherty,
Doughten,
Down,
Edwards,
Ellberg,
Elvey,
Eshback,
Eshleman,
Esler,
Ewing,
Farabaugh,
Fetterolf,
Filo,
Flynn,
Foerster,
Foor,
Frascella,
Fry,
Fulmer,

George,
Gibb,
Gibbons,
Goldstein, J. H.,
Goldstein, M. H.,
Goodrich,
Gramlich,
Gray,
Greenlee,
Gremminger,
Gross,
Guesman,
Guthrie,
Hamilton,
Hankins,
Hartley,
Heavey,
Heffner,
Helm,
Henzel,
Hocker,
Holl,
Holliday,
Holman,
Horst,
Irvis,
Mullen,
Isaacs,
Jim,
Johnson, A. W.,
Johnson, R. P.,
Jones,
Kamyk,
Kaiser,
Kelly,
Kernaghan,
Kessler,
King,
Kistler,
Knecht,
Kooker,
Kornick,
Korns,
Kramer,

Lee, K. B.,
Leonard,
Limper,
Long, Wm. Jas.,
Long, Wm. Jos.,
Lutty,
Magee,
Manbeck,
Markley,
Marsh,
Maxwell,
May,
McCandless,
McCann,
McDevitt,
McDonald,
McKeever,
McLaughlin,
McCann,
McNally,
Meholchick,
Merry,
Miller,
Mills,
Monroe,
Morley,
Mullen,
Munley,
Murphy,
Musto,
O'Dell,
O'Donnell, J. A.,
O'Donnell, J. P.,
Odoristo,
Ogilvie,
Parlante,
Perry,
Petrosky,
Piper,
Polaski,
Polen,
Prendergast,
Price,

Rovansek,
Rubin,
Rudisill,
Rutherford,
Sakulsky,
Scarcelli,
Schaaf,
Shelton,
Sherman,
Shupnik,
Simmons,
Slack,
Snare,
Stank,
Steckel,
Stiteler,
Stone,
Strausser,
Sullivan, T. F.,
Thompson,
Tompkins,
Trusio,
Varner,
Verona,
Wall,
Wargo,
Weidner,
Welsh,
Wescott,
Whittaker,
Willard,
Willaredt,
Williams, A. D.,
Williams, E. S.,
Wilt,
Wood,
Worley,
Wynd,
Yetter,
Zember,
Zimmerman,
Andrews,
Speaker

NAYS—0

NOT VOTING—28

Boies,
Bowman,
Branca,
Cauley,
Curwood,
Fineman,
Fox,

Haudenschild,
Jenkins,
Klein,
Lippincott,
McCormack,
McInroy,
Mihm,

Murray,
Needham,
Pashley,
Renwick,
Riley,
Royer,
Schuster,

Seltzer,
Stimmel,
Sullivan, J. A.,
Taylor,
Tomasck,
Ujobal,
Walsh

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, that the clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1407.

An Act amending the act of June 3, 1937 (P. L. 1333), "An act concerning elections including general municipal special and primary elections the nominations of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections," further regulating the affidavit of the circulator of a nomination petition.

With the information that the Senate had passed the same with amendments in which the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The clerk will read the amendments.

The clerk read the amendments as follows:

Amend Section 1, page 2, line 10, by striking out after the word "of" the following: "some person not necessarily a signer and not necessarily the same person" and inserting in lieu thereof the words "the circulator of"; line 12, by striking out after the word "that" the words "the affiant" and inserting in lieu thereof the words "he or she."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, that the clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate being introduced, returned bill from the House of Representatives number and entitled as follows:

HOUSE BILL No. 1595.

An Act amending the act of June 24, 1937 (P. L. 2051), entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board," further defining assistance to include certain dependent children and medical care for the aged and those persons eligible therefor and prescribing procedures requirements and penalties incidental thereto

With the information that the Senate had passed the same with amendments in which the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The clerk will read the amendments.

The clerk read the amendments as follows:

Amend Section 5, page 9, line 4, by inserting after the word "hospital" where it appears the second time, the following: when such care is incidental to the purpose for which the person was hospitalized

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—178

Adams,	Fulmer,	Kramer,	Price,
Anderson, J. H.,	Galley,	Lamb,	Pursley,
Anderson, S. A.,	Gallagher,	Lawson,	Reibman,
Arlene,	Gelfand,	Lee, A. M.,	Reidenbach,
Ashton,	George,	Lee, K. B.,	Rovansek,
Auker,	Gibb,	Leonard,	Rubin,
Bachman,	Gibbons,	Limper,	Rudisill,
Backenstoe,	Goldstein, J. H.,	Long, Wm. Jas.,	Rutherford,
Blair,	Goldstein, M. H.,	Long, Wm. Jos.,	Sakulsky,
Bonner,	Goodrich,	Lutty,	Scarcelli,
Bossert,	Gray,	Magee,	Schaaf,
Bower,	Gramlich,	Manbeck,	Shelton,
Branca,	Greenlee,	Marsh,	Sherman,
Breth,	Gremminger,	Maxwell,	Shupnik,
Buchanan,	Gross,	May,	Slack,
Bush,	Guesman,	McCandless,	Snare,
Capano,	Guthrie,	McCann,	Stank,
Capitolo,	Hankins,	McDevitt,	Steckel,
Cianfrani,	Hartley,	McDonald,	Stiteler,
Cioffi,	Heavey,	McKeever,	Strausser,
Clarke,	Heffner,	McLaughlin,	Sullivan, T. F.,
Comer,	Helm,	McNally,	Thompson,
Cooley,	Henzel,	Meholchick,	Tompkins,
Crossin,	Hocker,	Merry,	Truslo,
Davis,	Holl,	Miller,	Varnier,
Dengler,	Holliday,	Mills,	Verona,
Dennison,	Holman,	Monroe,	Wall,
Donaldson,	Horst,	Morley,	Wargo,
Dougherty,	Irvia,	Mullen,	Weldner,
Doughten,	Isaacs,	Munley,	Welsh,
Down,	Jim,	Murphy,	Wescott,
Edwards,	Johnson, A. W.,	Musto,	Whittaker,
Ellberg,	Johnson, R. P.,	O'Dell,	Willard,
Elvey,	Jones,	O'Donnell, J. A.,	Willaredt,
Eshback,	Kamyk,	O'Donnell, J. P.,	Williams, A. D.,
Eshleman,	Keiser,	Odorisio,	Williams, E. S.,
Esler,	Kelly,	Ogilvie,	Wilt,
Ewing,	Kernaghan,	Parlante,	Wood,
Farabaugh,	Kessler,	Perry,	Worley,
Fetterolf,	King,	Petrosky,	Wynd,
Filo,	Kistler,	Piper,	Yetter,
Flynn,	Knecht,	Polaski,	Zember,
Foerster,	Kooker,	Polen,	Zimmerman,
Foor,	Kornick,	Prendergast,	Andrews,
Fry,	Korns,		Speaker

NAYS—0

NOT VOTING—32

Boles,	Haudensfield,	Murray,	Simmons,
Bowman,	Jenkins,	Needham,	Stimmel,
Cauley,	Klein,	Paashley,	Stone,
Curwood,	Lippincott,	Renwick,	Sullivan, J. A.,
Fineman,	Markley,	Riley,	Taylor,
Fox,	McCormack,	Royer,	Tomascik,
Frascella,	McInroy,	Schuster,	Ujohal,
Hamilton,	Mihm,	Seltzer,	Walsh,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, that the clerk inform the Senate accordingly.

BILLS INTRODUCED AND REFERRED

By Mr. CLARKE. (By Request)

HOUSE BILL No. 1834.

An Act imposing a tax on real estate for public school purposes in school districts of the first class A for current expenses.

Referred to the Committee on Cities—Counties First Class.

By Mr. CLARKE. (By Request)

HOUSE BILL No. 1835.

An Act imposing a tax on real estate for public school purposes in school districts of the first class A for current expenses.

Referred to the Committee on Cities—Counties First Class.

By Mrs. REIBMAN, Messrs. POLEN, EILBERG, IRVIS,
HELM, ESHLEMAN, M. H. GOLDSTEIN
and Mrs. HENZEL. HOUSE BILL No. 1836.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), further classifying school districts and providing for the reorganization of school districts.

Referred to the Committee on Education.

RESOLUTION INTRODUCED AND REFERRED

By Messrs. FULMER, SNARE and J. H. GOLDSTEIN.
RESOLUTION No. 91.

In the House of Representatives, July 13, 1961.

The General Appropriation Act of 1961 included the appropriation of moneys for a five per cent across the board cost of living pay raise for all State employees.

The large numbers of State employees faithfully performing their assigned tasks for low compensation is a tribute to their morale and devotion to duty. They have placed the welfare of the Commonwealth above personal consideration. To deny such employees the pay raises which the General Assembly has granted them is to refuse well merited recognition of many jobs well done.

The rule adopted by the Executive Board, that State employees are not entitled to the across the board cost of living pay raise until the anniversary date of their hiring, is inconsistent with the intent of the General Assembly and denies the employees compensation which is rightfully theirs; therefore be it

Resolved, That the Governor and other members of the Executive Board are hereby requested to take necessary action to make the pay raise of State employees given in the General Appropriation Act of 1961 immediately available to all State employees, and to make such pay raises retroactive to June 1, 1961.

Referred to the Committee on Rules.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1611, entitled:

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), providing for the appointment of alternate members to the board of adjustment.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—144

Adams,	Fulmer,	Lawson,	Polen,
Anderson, S. A.,	Galley,	Lamb,	Prendergast,
Arlene,	Gallagher,	Lee, A. M.,	Price,
Bachman,	Gelfand,	Lee, K. B.,	Pursley,
Backenstoe,	George,	Leonard,	Reibman,
Blair,	Gibb,	Limper,	Reidenbach,
Bonner,	Gibbons,	Long, Wm. Jas.,	Rovansek,
Bower,	Goldstein, J. H.,	Long, Wm. Jos.,	Rubin,
Branca,	Goodrich,	Lutty,	Rudisill,
Breth,	Gramlich,	Manbeck,	Sakulsky,
Buchanan,	Gray,	Markley,	Scarcell,
Capano,	Greenlee,	Marsh,	Schaaf,
Capitolo,	Gremminger,	Maxwell,	Shelton,
Cianfrani,	Guesman,	McCann,	Sherman,
Cioffi,	Guthrie,	McDevitt,	Shupnik,
Clarke,	Hankins,	McDonald,	Simmons,

Comer,	Hartley,	McKeever,	Snare,
Cooley,	Heavey,	McLaughlin,	Stank,
Crossin,	Heffner,	McNally,	Steckel,
Davis,	Helm,	Meholchick,	Strausser,
Dengler,	Henzel,	Mills,	Sullivan, T. F.,
Dennison,	Holl,	Monroe,	Thompson,
Donaldson,	Horst,	Morley,	Tompkins,
Dougherty,	Irvis,	Mullen,	Trusla,
Doughten,	Jenkins,	Munley,	Varner,
Down,	Jim,	Murphy,	Verona,
Eilberg,	Johnson, A. W.,	Murray,	Wargo,
Elvey,	Johnson, R. P.,	Musto,	Welsh,
Esler,	Kamyk,	O'Donnell, J. A.,	Wescott,
Ewing,	Kelly,	O'Donnell, J. P.,	Willaredt,
Farabaugh,	Kernaghan,	Odoriso,	Williams, A. D.,
Filo,	Kistler,	Parlante,	Williams, E. S.,
Flynn,	Knecht,	Perry,	Worley,
Foerster,	Kornick,	Petrosky,	Wynd,
Frascella,	Korns,	Piper,	Yetter,
Fry,	Kramer,	Polaski,	Andrews,

Speaker

NAYS—38

Anderson, J. H.,	Goldstein, M. H.,	Magee,	Stiteler,
Ashton,	Gross,	May,	Wall,
Auker,	Hocker,	McCandless,	Weldner,
Bossert,	Holliday,	Merry,	Whittaker,
Bush,	Holman,	Miller,	Willard,
Edwards,	Isaacs,	O'Dell,	Wilt,
Eshback,	Kelser,	Ogline,	Wood,
Eshleman,	Kessler,	Rutherford,	Zember,
Fetterolf,	King,	Slack,	Zimmerman,
Foor,	Kooker,		

NOT VOTING—28

Boles,	Haudenshield,	Needham,	Stimmel,
Bowman,	Jones,	Pashley,	Stone,
Cauley,	Klein,	Renwick,	Sullivan, J. A.,
Curwood,	Lippincott,	Riley,	Taylor,
Fineman,	McCormack,	Royer,	Tomascik,
Fox,	McInroy,	Schuster,	Ujobal,
Hamilton,	Mihm,	Seitzer,	Walsh,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1741, entitled:

An Act amending the "Dry Cleaning and Dyeing Law," approved May 14, 1949 (P. L. 1342), defining coin-operated dry cleaning and providing that certain provisions of the act shall not be applicable to dry cleaning by that means.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Lamb.

Mr. LAMB. Mr. Speaker, I would like to interrogate Mr. Strausser.

The SPEAKER. Will the gentleman from Columbia permit himself to be interrogated?

Mr. STRAUSSER. I shall, Mr. Speaker.

Mr. LAMB. Mr. Speaker, could the gentleman tell me whether or not there is a possibility of fire developing by virtue of coin-operated dry-cleaning machines?

Mr. STRAUSSER. No, there is not.

Mr. LAMB. Why?

Mr. STRAUSSER. Because non-combustible materials are used in coin-operated dry-cleaning machines.

Mr. LAMB. I thank the gentleman.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—169

Adams,	Fulmer,	Lee, K. B.,	Price,
Anderson, J. H.,	Galley,	Lee, A. M.,	Pursley,
Anderson, S. A.,	Gallagher,	Leonard,	Reibman,
Ariene,	Gelfand,	Limper,	Rovansek,
Ashton,	George,	Long, Wm. Jas.,	Rubin,
Auker,	Gibb,	Long, Wm. Jos.,	Rudisill,
Bachman,	Gibbons,	Lutty,	Rutherford,
Backenstoe,	Goldstein, J. H.,	Magee,	Sakulsky,
Blair,	Goodrich,	Manbeck,	Scarcelli,
Bonner,	Gramlich,	Marsh,	Schaaf,
Bossert,	Gray,	Markley,	Shelton,
Bower,	Greenlee,	Maxwell,	Sherman,
Branca,	Gremminger,	May,	Simmons,
Breth,	Gross,	McCandless,	Slack,
Buchanan,	Guesman,	McCann,	Snare,
Bush,	Guthrie,	McDevitt,	Stank,
Capano,	Hankins,	McDonald,	Steckel,
Capitolo,	Hartley,	McKeever,	Stiteler,
Cianfrani,	Heavey,	McLaughlin,	Strausser,
Cioffi,	Heffner,	McNally,	Sullivan, T. F.,
Clarke,	Helm,	Meholchick,	Thompson,
Comer,	Henzel,	Merry,	Tompkins,
Cooley,	Hocker,	Miller,	Truslo,
Crossin,	Holl,	Mills,	Varnier,
Davis,	Holliday,	Monroe,	Verona,
Dengler,	Holman,	Morley,	Wargo,
Dennison,	Irvie,	Mullen,	Weldner,
Donaldson,	Isaacs,	Munley,	Welsh,
Dougherty,	Jenkins,	Murphy,	Wescott,
Doughten,	Jim,	Murray,	Whittaker,
Down,	Johnson, A. W.,	O'Dell,	Willard,
Edwards,	Johnson, R. P.,	O'Donnell, J. A.,	Willaredt,
Ellberg,	Jones,	O'Donnell, J. P.,	Williams, A. D.,
Eshback,	Kamyk,	Odorisio,	Williams, E. S.,
Eshleman,	Kelly,	Ogilvie,	Wilt,
Esler,	Kernaghan,	Parlante,	Wood,
Ewing,	Kessler,	Perry,	Worley,
Farabaugh,	King,	Petrosky,	Wynd,
Fetterolf,	Kornick,	Piper,	Yetter,
Flynn,	Korns,	Polaski,	Zember,
Foor,	Kramer,	Polen,	Zimmerman,
Frascella,	Lawson,	Prendergast,	
Fry,			Speaker

NAYS—12

Elvey,	Horst,	Knecht,	Musto,
Foerster,	Keiser,	Kooker,	Shupnik,
Goldstein, M. H.,	Kistler,	Lamb,	Wall,

NOT VOTING—29

Boles,	Haudensfield,	Pashley,	Stimmel,
Bowman,	Klein,	Reidenbach,	Stone,
Cauley,	Lippincott,	Renwick,	Sullivan, J. A.,
Curwood,	McCormack,	Riley,	Taylor,
Filo,	McInroy,	Royer,	Tomasick,
Fineman,	Mihm,	Schuster,	Ujbal,
Fox,	Needham,	Seltzer,	Walsh,
Hamilton,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 380, entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code," providing that title to property by eminent domain may be vested in certain counties upon filing of a bond.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—175

Adams,	Fulmer,	Korns,	Price,
Anderson, J. H.,	Galley,	Kramer,	Pursley,
Anderson, S. A.,	Gallagher,	Lamb,	Reibman,
Arlene,	Gelfand,	Lawson,	Reidenbach,
Ashton,	George,	Lee, K. B.,	Rovansek,
Auker,	Gibb,	Lee, A. M.,	Rubin,
Bachman,	Gibbons,	Leonard,	Rudisill,
Backenstoe,	Goldstein, J. H.,	Limper,	Rutherford,
Blair,	Goldstein, M. H.,	Long, Wm. Jas.,	Sakulsky,
Bonner,	Goodrich,	Long, Wm. Jos.,	Scarcelli,
Bossert,	Gramlich,	Lutty,	Schaaf,
Bower,	Gray,	Magee,	Shelton,
Branca,	Greenlee,	Manbeck,	Sherman,
Breth,	Gremminger,	Markley,	Shupnik,
Buchanan,	Gross,	Marsh,	Simmons,
Bush,	Guesman,	Maxwell,	Slack,
Capano,	Guthrie,	May,	Snare,
Capitolo,	Hankins,	McCandless,	Stank,
Cianfrani,	Hartley,	McCann,	Steckel,
Cioffi,	Heavey,	McDevitt,	Stiteler,
Clarke,	Heffner,	McKeever,	Strausser,
Comer,	Helm,	McLaughlin,	Sullivan, T. F.,
Cooley,	McNally,	Thompson,	Tompkins,
Crossin,	Hocker,	Meholchick,	Tompkins,
Davis,	Holl,	Merry,	Truslo,
Dengler,	Holman,	Miller,	Varnier,
Dennison,	Horst,	Mills,	Verona,
Donaldson,	Irvie,	Monroe,	Wall,
Dougherty,	Isaacs,	Morley,	Wargo,
Doughten,	Jenkins,	Munley,	Weldner,
Down,	Jim,	Murphy,	Welsh,
Edwards,	Johnson, A. W.,	Musto,	Wescott,
Ellberg,	Johnson, R. P.,	O'Dell,	Whittaker,
Elvey,	Jones,	O'Donnell, J. A.,	Willard,
Eshleman,	Kamyk,	O'Donnell, J. P.,	Willaredt,
Esler,	Kelser,	Odorisio,	Williams, A. D.,
Ewing,	Kelly,	Ogilvie,	Williams, E. S.,
Farabaugh,	Kernaghan,	Parlante,	Wilt,
Fetterolf,	Kessler,	Perry,	Wood,
Flynn,	King,	Petrosky,	Worley,
Foerster,	Kistler,	Piper,	Wynd,
Foor,	Knecht,	Polaski,	Zember,
Frascella,	Kooker,	Polen,	Zimmerman,
Fry,	Kornick,	Prendergast,	

NAYS—1

Eshback,

NOT VOTING—34

Boles,	Holliday,	Needham,	Stone,
Bowman,	Klein,	Pashley,	Sullivan, J. A.,
Cauley,	Lippincott,	Renwick,	Taylor,
Curwood,	McCormack,	Riley,	Tomasick,
Filo,	McDonald,	Royer,	Ujbal,
Fineman,	McInroy,	Schuster,	Walsh,
Fox,	Mihm,	Seltzer,	Yetter,
Hamilton,	Mullen,	Stimmel,	Andrews,
Haudensfield,	Murray,		Speaker

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 475, entitled:

An Act authorizing facsimile signatures and seals of certain public officials imposing duties upon the Secretary of the Commonwealth and providing penalties.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—172

Adams,	Fry,	Kramer,	Price,
Anderson, J. H.,	Fulmer,	Lamb,	Pursley,
Anderson, S. A.,	Galley,	Lawson,	Reibman,
Arlene,	Gallagher,	Lee, A. M.,	Reidenbach,
Ashton,	Gelfand,	Lee, K. B.,	Rovansek,
Auker,	George,	Leonard,	Rubin,
Bachman,	Gibb,	Lamper,	Rudisill,
Backenstoe,	Gibbons,	Long, Wm. Jas.,	Rutherford,
Blair,	Goldstein, J. H.,	Long, Wm. Jos.,	Sakulsky,
Bonner,	Goldstein, M. H.,	Lutty,	Scarcell,
Bossert,	Goodrich,	Magee,	Schaaf,
Bower,	Gramlich,	Manbeck,	Shelton,
Branca,	Greenlee,	Markley,	Sherman,
Breth,	Gremminger,	Marsh,	Shupnik,
Buchanan,	Gross,	Maxwell,	Simmons,
Bush,	Guthrie,	May,	Slack,
Capano,	Hankins,	McCandless,	Snare,
Capitolo,	Hartley,	McCann,	Stank,
Cianfrani,	Heavey,	McDevitt,	Steckel,
Cioffi,	Heffner,	McKeever,	Stiteler,
Clarke,	Helm,	McLaughlin,	Strausser,
Comer,	Henzel,	McNally,	Sullivan, T. F.,
Cooley,	Hocker,	Meholchick,	Thompson,
Crossin,	Holl,	Merry,	Tompkins,
Davis,	Holliday,	Miller,	Varnar,
Dengler,	Holman,	Mills,	Verona,
Dennison,	Horst,	Monroe,	Wall,
Donaldson,	Irlis,	Morley,	Wargo,
Dougherty,	Jim,	Munley,	Weldner,
Doughten,	Isaacs,	Murphy,	Welsh,
Down,	Johnson, A. W.,	Musto,	Wescott,
Edwards,	Johnson, R. P.,	O'Dell,	Whittaker,
Ellberg,	Jones,	O'Donnell, J. A.,	Willard,
Elvey,	Kamyk,	O'Donnell, J. P.,	Willaredt,
Eshleman,	Kessler,	Odorisio,	Williams, A. D.,
Esler,	Kelser,	Ogilvie,	Williams, E. S.,
Ewing,	Kelly,	Parlante,	Wilt,
Farabaugh,	Kernaghan,	Perry,	Wood,
Fetterolf,	King,	Petrosky,	Wynd,
Filo,	Kistler,	Piper,	Yetter,
Flynn,	Knecht,	Polaski,	Zember,
Foerster,	Kornick,	Polen,	Zimmerman,
Frascella,	Korns,	Prendergast,	Andrews,

Speaker

NAYS—4

Eshback,	Foor,	Kooker,	Worley,
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NOT VOTING—34

Boles,	Haudenshield,	Murray,	Stimmel,
Bowman,	Jenkins,	Needham,	Stone,
Cauley,	Klein,	Pashley,	Sullivan, J. A.,
Curwood,	Lippincott,	Renwick,	Taylor,
Fineman,	McCormack,	Riley,	Tomascik,
Fox,	McDonald,	Royer,	Trusio,
Gray,	McInroy,	Schuster,	Ujobai,
Guesman,	Mihm,	Seltzer,	Walsh,
Hamilton,	Mullen,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 479, entitled:

An Act amending the act of June 25, 1941 (P. L. 159), entitled "Municipal Borrowing Law," regulating the payment sale price and interest of non-debt revenue bonds.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—179

Adams,	Fulmer,	Lamb,	Reibman,
Anderson, J. H.,	Galley,	Lawson,	Reldenbach,
Anderson, S. A.,	Gallagher,	Lee, A. M.,	Rovansek,
Arlene,	Gelfand,	Lee, K. B.,	Rubin,
Ashton,	George,	Leonard,	Rudisill,
Bachman,	Gibb,	Lamper,	Rutherford,
Backenstoe,	Gibbons,	Long, Wm. Jas.,	Sakulsky,
Blair,	Goldstein, J. H.,	Long, Wm. Jos.,	Scarcell,
Bonner,	Goldstein, M. H.,	Lutty,	Schaaf,
Bossert,	Goodrich,	Magee,	Shelton,
Bower,	Gramlich,	Manbeck,	Sherman,
Branca,	Gray,	Markley,	Shupnik,
Breth,	Greenlee,	Marsh,	Simmons,
Buchanan,	Gremminger,	Maxwell,	Slack,
Bush,	Gross,	May,	Snare,
Capano,	Guthrie,	McCandless,	Stank,
Capitolo,	Hamilton,	McCann,	Steckel,
Cianfrani,	Hankins,	McDevitt,	Stiteler,
Cioffi,	Hartley,	McKeever,	Stone,
Clarke,	Heavey,	McLaughlin,	Strausser,
Comer,	Heffner,	McNally,	Sullivan, T. F.,
Cooley,	Helm,	Meholchick,	Thompson,
Crossin,	Henzel,	Merry,	Tompkins,
Davis,	Hocker,	Miller,	Trusio,
Dengler,	Holl,	Mills,	Varnar,
Dennison,	Holliday,	Monroe,	Verona,
Donaldson,	Holman,	Morley,	Wall,
Dougherty,	Horst,	Munley,	Wargo,
Doughten,	Irlis,	Murphy,	Weldner,
Down,	Isaacs,	Murray,	Welsh,
Edwards,	Jim,	Musto,	Wescott,
Ellberg,	Johnson, A. W.,	O'Dell,	Whittaker,
Elvey,	Johnson, R. P.,	O'Donnell, J. A.,	Willard,
Eshback,	Jones,	O'Donnell, J. P.,	Willaredt,
Eshleman,	Kamyk,	Odorisio,	Williams, A. D.,
Esler,	Kelser,	Ogilvie,	Williams, E. S.,
Ewing,	Kelly,	Parlante,	Wilt,
Farabaugh,	Kernaghan,	Perry,	Wood,
Fetterolf,	Kessler,	Petrosky,	Worley,
Filo,	King,	Piper,	Wynd,
Flynn,	Kistler,	Polaski,	Yetter,
Foerster,	Kooker,	Polen,	Zember,
Foor,	Kornick,	Prendergast,	Zimmerman,
Frascella,	Korns,	Price,	Andrews,
Fry,	Kramer,	Pursley,	Speaker

NAYS—0

NOT VOTING—31

Auker,	Haudenshield,	Mihm,	Seltzer,
Boles,	Jenkins,	Mullen,	Stimmel,
Bowman,	Klein,	Needham,	Sullivan, J. A.,
Cauley,	Knecht,	Pashlev,	Taylor,
Curwood,	Lippincott,	Renwick,	Tomascik,
Fineman,	McCormack,	Riley,	Ujobai,
Fox,	McDonald,	Royer,	Waish,
Guesman,	McInroy,	Schuster,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 497, entitled:

An Act amending the act of April 4, 1925 (P. L. 127), entitled "Adoption Law," further prescribing which persons must appear in court.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—179

Adams,	Galley,	Lamb,	Pursley,
Anderson, J. H.,	Gallagher,	Lawson,	Reibman,
Anderson, S. A.,	Gelfand,	Lee, A. M.,	Reidenbach,
Arlene,	George,	Lee, K. B.,	Rovanssek,
Ashton,	Gibb,	Leonard,	Rubin,
Auker,	Gibbons,	Limper,	Rudisill,
Bachman,	Goldstein, J. H.,	Long, Wm. Jas.,	Rutherford,
Backenstoe,	Goldstein, M. H.,	Long, Wm. Jos.,	Sakulsky,
Blair,	Goodrich,	Lutty,	Scarcelli,
Bonner,	Gramlich,	Magee,	Schaaf,
Bossert,	Gray,	Manbeck,	Shelton,
Bower,	Greenlee,	Markley,	Sherman,
Branca,	Gremminger,	Marsh,	Shupnik,
Breth,	Gross,	Maxwell,	Simmons,
Buchanan,	Guthrie,	May,	Slack,
Bush,	Hamilton,	McCandless,	Snare,
Capitolo,	Hankins,	McCann,	Stank,
Cooley,	Hartley,	McDevitt,	Steckel,
Cianfrani,	Heavey,	McKeever,	Stiteler,
Cioffi,	Heffner,	McLaughlin,	Strausser,
Clarke,	Helm,	McNally,	Sullivan, T. F.,
Comer,	Henz'l,	Meholchick,	Thompson,
Crossin,	Hocker,	Merry,	Tompkins,
Davis,	Holl,	Miller,	Trusio,
Dengler,	Holliday,	Mills,	Varner,
Donaldson,	Holman,	Monroe,	Verona,
Dougherty,	Horst,	Morley,	Wall,
Doughten,	Irviss,	Mullen,	Wargo,
Down,	Isaacs,	Munley,	Weidner,
Edwards,	Jim,	Murphy,	Welsh,
Ellberg,	Johnson, A. W.,	Murray,	Wescott,
Elvey,	Johnson, R. P.,	Musto,	Whittaker,
Eshback,	Jones,	O'Dell,	Willard,
Eshleman,	Kamyk,	O'Donnell, J. A.,	Willaredt,
Esler,	Kelser,	O'Donnell, J. P.,	Williams, A. D.
Ewing,	Kelly,	Odorisio,	Williams, E. S.,
Farabaugh,	Kernaghan,	Ogilvie,	Wilt,
Fetterolf,	Kessler,	Parlante,	Wood,
Filo,	King,	Perry,	Worley,
Flynn,	Kistler,	Petrosky,	Wynd,
Foerster,	Knecht,	Piper,	Yetter,
Foor,	Kooker,	Polaski,	Zember,
Frascella,	Kornick,	Polen,	Zimmerman,
Fry,	Korns,	Prendergast,	Andrews,
Fulmer,	Kramer,	Price,	Speaker

NAYS—1

Capalo,

NOT VOTING—30

Boles,	Haudenshield,	Needham,	Stimmel,
Bowman,	Jenkins,	Pashley,	Stone,
Cauley,	Klein,	Renwick,	Sullivan, J. A.,
Curwood,	Lippincott,	Riley,	Taylor,
Dennison,	McCormack,	Rover,	Tomascik,
Fineman,	McDonald,	Schuster,	Ujobai,
Fox,	McInroy,	Seltzer,	Walsh,
Guesman,	Mihm,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 525, entitled:

An Act authorizing members of any profession to organize an association to render the type of service which the members are authorized to render providing for the regulation of the association and its members and employees and imposing powers and duties on the association and its members.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—175

Adams,	Fulmer,	Kramer,	Reibman,
Anderson, J. H.,	Galley,	Lamb,	Reidenbach,
Anderson, S. A.,	Gallagher,	Lawson,	Rovanssek,
Arlene,	Gelfand,	Lee, A. M.,	Rubin,
Ashton,	George,	Lee, K. B.,	Rudisill,
Auker,	Gibb,	Limper,	Rutherford,
Bachman,	Gibbons,	Long, Wm. Jas.,	Sakulsky,
Backenstoe,	Goldstein, J. H.,	Long, Wm. Jos.,	Scarcelli,
Blair,	Goldstein, M. H.,	Lutty,	Schaaf,
Bonner,	Goodrich,	Magee,	Shelton,
Bossert,	Gramlich,	Manbeck,	Sherman,
Bower,	Gray,	Markley,	Shupnik,
Branca,	Greenlee,	Marsh,	Simmons,
Breth,	Gremminger,	Maxwell,	Slack,
Buchanan,	Gross,	May,	Snare,
Bush,	Guthrie,	McCandless,	Stank,
Capano,	Hamilton,	McCann,	Steckel,
Capitolo,	Hankins,	McDevitt,	Stiteler,
Cianfrani,	Hartley,	McKeever,	Stone,
Cioffi,	Heavey,	McLaughlin,	Strausser,
Clarke,	Heffner,	McNally,	Sullivan, T. F.,
Comer,	Helm,	Meholchick,	Thompson,
Cooley,	Henzel,	Merry,	Tompkins,
Crossin,	Holl,	Miller,	Trusio,
Davis,	Holliday,	Mills,	Varner,
Dengler,	Holman,	Monroe,	Verona,
Dennison,	Horst,	Mo'ley,	Wall,
Donaldson,	Irviss,	Mullen,	Wargo,
Dougherty,	Isaacs,	Munley,	Weidner,
Doughten,	Jim,	Murphy,	Welsh,
Down,	Johnson, A. W.,	Murray,	Wescott,
Edwards,	Johnson, R. P.,	Musto,	Willard,
Ellberg,	Jones,	O'Donnell, J. A.,	Willaredt,
Elvey,	Kamyk,	O'Donnell, J. P.,	Williams, A. D.,
Eshleman,	Kelser,	Odorisio,	Williams, E. S.,
Esler,	Kelly,	Ogilvie,	Wilt,
Ewing,	Kernaghan,	Parlante,	Wood,
Farabaugh,	Kessler,	Perry,	Worley,
Fetterolf,	King,	Piper,	Wynd,
Flynn,	Kistler,	Polaski,	Yetter,
Foerster,	Knecht,	Polen,	Zember,
Foor,	Kooker,	Prendergast,	Zimmerman,
Frascella,	Kornick,	Price,	Andrews,
Fry,	Korns,	Pursley,	Speaker

NAYS—4

Eshback,

Hocker,

O'Dell,

Whittaker,

NOT VOTING—31

Boles,	Haudenshield,	Mihm,	Seltzer,
Bowman,	Jenkins,	Needham,	Stimmel,
Cauley,	Klein,	Pashley,	Sullivan, J. A.,
Curwood,	Leonard,	Petrosky,	Taylor,
Filo,	Lippincott,	Renwick,	Tomascik,
Fineman,	McCormack,	Riley,	Ujobai,
Fox,	McDonald,	Rover,	Walsh,
Guesman,	McInroy,	Schuster,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 526, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code," defining the crimes of fraudulent use of credit cards and fraudulent obtaining of telecommunications service and prescribing penalties.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—177

Adams,	Galley,	Kramer,	Pursley,
Anderson, J. H.,	Gallagher,	Lamb,	Reibman,
Anderson, S. A.,	Gelfand,	Lawson,	Reldenbach,
Arlene,	George,	Lee, A. M.,	Rovansek,
Ashton,	Gibb,	Lee, K. B.,	Rubin,
Auker,	Gibbons,	Leonard,	Rudisill,
Bachman,	Goldstein, J. H.,	Limper,	Rutherford,
Backenstoe,	Goldstein, M. H.,	Long, Wm. Jas.,	Sakulsky,
Blair,	Goodrich,	Long, Wm. Jos.,	Scarcell,
Bonner,	Gramlich,	Lutty,	Schaaf,
Bossert,	Gray,	Magee,	Shelton,
Bower,	Greenlee,	Manbeck,	Sherman,
Branca,	Gremminger,	Markley,	Shupnik,
Buchanan,	Gross,	Marsh,	Slack,
Bush,	Guthrie,	Maxwell,	Snare,
Capano,	Hamilton,	May,	Stank,
Capitolo,	Hankins,	McCandless,	Steckel,
Cianfrani,	Hartley,	McCann,	Stiteler,
Cioffi,	Heavey,	McDevitt,	Stone,
Clarke,	Heffner,	McKeever,	Strausser,
Comer,	Helm,	McLaughlin,	Sullivan, T. F.,
Cooley,	Henzel,	McNally,	Thompson,
Crossin,	Hocker,	Meholchick,	Tompkins,
Davis,	Holl,	Merry,	Trusio,
Dengler,	Holliday,	Miller,	Varner,
Dennison,	Holman,	Mills,	Verona,
Donaldson,	Horst,	Monroe,	Wall,
Dougherty,	Irvie,	Morley,	Wargo,
Doughten,	Isaacs,	Mullen,	Weidner,
Down,	Jim,	Munley,	Welsh,
Edwards,	Johnson, A. W.,	Murphy,	Wescott,
Ellberg,	Johnson, R. P.,	Murray,	Whittaker,
Elvey,	Jones,	Musto,	Willard,
Eshback,	Kamyk,	O'Dell,	Willaredt,
Eshleman,	Keiser,	O'Donnell, J. A.,	Williams, A. D.,
Ewing,	Kelly,	Odorisio,	Williams, E. S.,
Farabaugh,	Kernaghan,	Ogllive,	Wilt,
Fetterolf,	Kessler,	Parlante,	Wood,
Filo,	King,	Perry,	Worley,
Flynn,	Kistler,	Piper,	Wynd,
Foerster,	Knecht,	Polaski,	Yetter,
Foor,	Kooker,	Polen,	Zember,
Frascella,	Kornick,	Prendergast,	Zimmerman,
Fry,	Korns,	Price,	Andrews,
Fulmer,			Speaker

NAYS—0

NOT VOTING—33

Boles,	Haudenshield,	Needham,	Seltzer,
Bowman,	Jenkins,	O'Donnell, J. P.,	Simmons,
Breth,	Klein,	Pashley,	Stimmel,
Caulley,	Lippincott,	Petrosky,	Sullivan, J. A.,
Curwood,	McCormack,	Renwick,	Taylor,
Esler,	McDonald,	Riley,	Tomasick,
Fineman,	McInroy,	Royer,	Ujobai,
Fox,	Mihm,	Schuster,	Walsh,
Guesman,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 533, entitled:

An Act amending the act of July 15, 1957 (P. L. 901), entitled "Optional Third Class City Charter Law" further regulating the compensation of mayors, councilmen, controllers, treasurers and department heads.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—167

Anderson, S. A.,	Fulmer,	Lamb,	Price,
Arlene,	Galley,	Lawson,	Pursley,
Ashton,	Gallagher,	Lee, A. M.,	Reibman,
Bachman,	Gelfand,	Lee, K. B.,	Reldenbach,
Backenstoe,	George,	Leonard,	Rubin,
Blair,	Gibb,	Limper,	Rudisill,
Bonner,	Gibbons,	Long, Wm. Jas.,	Rutherford,
Bossert,	Goldstein, J. H.,	Long, Wm. Jos.,	Sakulsky,
Bower,	Goldstein, M. H.,	Lutty,	Scarcell,
Branca,	Goodrich,	Magee,	Schaaf,
Breth,	Gramlich,	Manbeck,	Shelton,
Buchanan,	Gray,	Marsh,	Sherman,
Bush,	Greenlee,	Maxwell,	Shupnik,
Capano,	Gremminger,	May,	Simmons,
Capitolo,	Guthrie,	McCandless,	Slack,
Cianfrani,	Hamilton,	McCann,	Snare,
Cioffi,	Hankins,	McDevitt,	Stank,
Clarke,	Hartley,	McKeever,	Steckel,
Comer,	Heavey,	McLaughlin,	Stone,
Cooley,	Heffner,	McNally,	Strausser,
Crossin,	Helm,	Meholchick,	Sullivan, T. F.,
Davis,	Henzel,	Merry,	Thompson,
Dengler,	Hocker,	Miller,	Tompkins,
Dennison,	Holl,	Mills,	Trusio,
Donaldson,	Holman,	Monroe,	Varner,
Doughten,	Horst,	Morley,	Verona,
Down,	Irvie,	Mullen,	Wall,
Edwards,	Jim,	Munley,	Wargo,
Ellberg,	Johnson, A. W.,	Murphy,	Weidner,
Elvey,	Johnson, R. P.,	Musto,	Welsh,
Eshback,	Jones,	O'Dell,	Wescott,
Eshleman,	Kamyk,	O'Donnell, J. A.,	Whittaker,
Ewing,	Keiser,	O'Donnell, J. P.,	Willard,
Farabaugh,	Kelly,	Odorisio,	Williams, A. D.,
Fetterolf,	Kernaghan,	Ogllive,	Williams, E. S.,
Filo,	Kessler,	Parlante,	Wood,
Flynn,	King,	Perry,	Worley,
Foerster,	Knecht,	Petrosky,	Wynd,
Foor,	Kooker,	Piper,	Yetter,
Frascella,	Kornick,	Polaski,	Zember,
Fry,	Korns,	Polen,	Zimmerman,
	Kramer,	Prendergast,	

NAYS—10

Adams,	Gross,	Kistler,	Stiteler,
Anderson, J. H.,	Holliday,	Rovansek,	Andrews,
Auker,	Isaacs,		Speaker

NOT VOTING—33

Boles,	Jenkins,	Murray,	Stimmel,
Bowman,	Klein,	Needham,	Sullivan, J. A.,
Caulley,	Lippincott,	Pashley,	Taylor,
Curwood,	Markley,	Renwick,	Tomasick,
Dougherty,	McCormack,	Riley,	Ujobai,
Fineman,	McDonald,	Royer,	Walsh,
Fox,	McInroy,	Schuster,	Willaredt,
Guesman,	Mihm,	Seltzer,	Wilt,
Haudenshield,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 534, entitled:

An Act amending the act of July 15, 1957 (P. L. 901), entitled "Optional Third Class City Charter Law" prohibiting departments from being headed by member of city council under mayor-council plan A.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—169

Adams,	Fry,	Kramer,	Price,
Anderson, J. H.	Fulmer,	Lamb,	Pursley,
Anderson, S. A.,	Galley,	Lawson,	Reibman,
Arlene,	Gallagher,	Lee, A. M.,	Reidenbach,
Ashton,	Gelfand,	Lee, K. B.,	Rubin,
Bachman,	George,	Leonard,	Rudisill,
Backenstoe,	Gibb,	Limper,	Rutherford,
Blair,	Gibbons,	Long, Wm. Jas.,	Sakulsky,
Bonner,	Goldstein, J. H.,	Long, Wm. Jos.,	Scarcell,
Bossert,	Goldstein, M. H.,	Lutty,	Schaaf,
Bower,	Goodrich,	Magee,	Shelton,
Branca,	Gramlich,	Manbeck,	Sherman,
Breth,	Gray,	Markley,	Shupnik,
Buchanan,	Greenlee,	Marsh,	Snare,
Bush,	Gremminger,	Maxwell,	Slack,
Capano,	Gross,	May,	Stank,
Capitolo,	Guthrie,	McCandless,	Steckel,
Cianfrani,	Hamilton,	McCann,	Stone,
Cioffi,	Hankins,	McDevitt,	Strausser,
Clarke,	Hartley,	McKeever,	Sullivan, T. F.,
Comer,	Heavey,	McLaughlin,	Thompson,
Cooley,	Heffner,	McNally,	Tompkins,
Crossin,	Helm,	Meholchick,	Trusio,
Davis,	Henzel,	Merry,	Varner,
Dengler,	Hocker,	Miller,	Verona,
Dennison,	Holl,	Mills,	Wall,
Donaldson,	Holman,	Monroe,	Wargo,
Dougherty,	Horst,	Morley,	Weidner,
Doughten,	Isaacs,	Mullen,	Welsh,
Down,	Jim,	Munley,	Wescott,
Edwards,	Johnson, A. W.,	Murphy,	Whittaker,
Ellberg,	Johnson, R. P.,	Musto,	Willard,
Elvey,	Jones,	O'Dell,	Willaredt,
Eshleman,	Kamyk,	O'Donnell, J. A.,	Williams, A. D.,
Esler,	Kelser,	Odoriso,	Williams, E. S.,
Ewing,	Kelly,	Ogilvie,	Wilt,
Farabaugh,	Kernaghan,	Parlante,	Wood,
Fetterolf,	Kessler,	Petrosky,	Worley,
Filo,	King,	Piper,	Wynd,
Flynn,	Knecht,	Polaski,	Yetter,
Foerster,	Kooker,	Polen,	Zember,
Foor,	Kornick,	Prendergast,	Zimmerman,
Frascella,			

NAYS—9

Auker,	Korns,	Rovansek,	Stiteler,
Holliday,	O'Donnell, J. P.,	Simmons,	Andrews,
Kistler,			Speaker

NOT VOTING—32

Boies,	Haudenshield,	Mihm,	Schuster,
Bowman,	Irvs,	Murray,	Seltzer,
Cauley,	Jenkins,	Needham,	Stimmel,
Curwood,	Klein,	Pashley,	Sullivan, J. A.,
Eshback,	Lippincott,	Perry,	Taylor,
Fineman,	McCormack,	Renwick,	Tomasck,
Fox,	McDonald,	Riley,	Ujobal,
Guesman,	McInroy,	Royer,	Walsh,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 535, entitled:

An Act to provide for the exchange of historical materials between historical societies as herein defined.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—180

Adams,	Fulmer,	Kramer,	Pursley,
Anderson, J. H.	Galley,	Lamb,	Reibman,
Anderson, S. A.,	Gallagher,	Lawson,	Reidenbach,
Arlene,	Gelfand,	Lee, A. M.,	Rovansek,
Ashton,	George,	Lee, K. B.,	Rubin,
Auker,	Gibb,	Limper,	Rudisill,
Bachman,	Gibbons,	Long, Wm. Jas.,	Rutherford,
Backenstoe,	Goldstein, J. H.,	Long, Wm. Jos.,	Sakulsky,
Blair,	Goldstein, M. H.,	Lutty,	Scarcell,
Bonner,	Goodrich,	Magee,	Schaaf,
Bossert,	Gramlich,	Manbeck,	Shelton,
Bower,	Gray,	Markley,	Sherman,
Branca,	Greenlee,	Marsh,	Shupnik,
Breth,	Gremminger,	Maxwell,	Simmons,
Buchanan,	Gross,	May,	Slack,
Bush,	Guthrie,	McCandless,	Snare,
Capano,	Hamilton,	McCann,	Stank,
Capitolo,	Hankins,	McDevitt,	Steckel,
Cianfrani,	Hartley,	McKeever,	Stiteler,
Cioffi,	Heavey,	McLaughlin,	Stone,
Clarke,	Heffner,	McNally,	Strausser,
Comer,	Helm,	Meholchick,	Sullivan, T. F.,
Cooley,	Henzel,	Merry,	Thompson,
Crossin,	Hocker,	Miller,	Tompkins,
Davis,	Holl,	Mills,	Trusio,
Dengler,	Holliday,	Monroe,	Varner,
Dennison,	Holman,	Morley,	Verona,
Donaldson,	Horst,	Mullen,	Wall,
Dougherty,	Irvs,	Munley,	Wargo,
Doughten,	Isaacs,	Murphy,	Weidner,
Down,	Jim,	Murray,	Welsh,
Edwards,	Johnson, A. W.,	Musto,	Wescott,
Ellberg,	Johnson, R. P.,	O'Dell,	Whittaker,
Elvey,	Jones,	O'Donnell, J. A.,	Willard,
Eshback,	Kamyk,	O'Donnell, J. P.,	Willaredt,
Esler,	Kelser,	Odoriso,	Williams, A. D.,
Ewing,	Kelly,	Ogilvie,	Williams, E. S.,
Farabaugh,	Kernaghan,	Parlante,	Wilt,
Fetterolf,	Kessler,	Perry,	Wood,
Filo,	King,	Petrosky,	Worley,
Flynn,	Kistler,	Piper,	Wynd,
Foerster,	Knecht,	Polaski,	Yetter,
Foor,	Kooker,	Polen,	Zember,
Frascella,	Kornick,	Prendergast,	Zimmerman,
Fry,	Korns,	Price,	Andrews,

Speaker

NAYS—0

NOT VOTING—30

Boies,	Haudenshield,	Mihm,	Seltzer,
Bowman,	Jenkins,	Needham,	Stimmel,
Cauley,	Klein,	Pashley,	Sullivan, J. A.,
Curwood,	Leonard,	Renwick,	Taylor,
Eshleman,	Lippincott,	Riley,	Tomasck,
Fineman,	McCormack,	Royer,	Ujobal,
Fox,	McDonald,	Schuster,	Walsh,
Guesman,	McInroy,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILL PASSED OVER

There being no objection

Senate bill No. 539 printer's No. 599 was passed over at the request of Mr. McCANN.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 541, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" authorizing the Secretary of Highways to erect accurate mile courses and designations along State highways.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—160

Adams,	Gallagher,	Lawson,	*Reibman,
Anderson, J. H.	Gelfand,	Lee, A. M.,	Reidenbach,
Anderson, S. A.,	George,	Lee, K. B.,	Rovansek,
Arlene,	Gibb,	Leonard,	Rubin,
Auker,	Gibbons,	Limper,	Rudisill,
Bachman	Goldstein, J. H.,	Long, Wm. Jas.,	Sakulsky,
Blair,	Goldstein, M. H.,	Long, Wm. Jos.,	Scarcelli,
Bonner,	Gramlich,	Lutty,	Schaaf,
Bower,	Gray,	Manbeck,	Shelton,
Branca,	Greenlee,	Markley,	Sherman,
Breth,	Gremminger,	Marsh,	Shupnik,
Buchanan,	Gross,	Maxwell,	Simmons,
Bush,	Guthrie,	May,	Snare,
Capano,	Hamilton,	McCann,	Stank,
Capitolo,	Hankins,	McDevitt,	Steckel,
Cianfrani,	Hartley,	McKeever,	Stone,
Cioffi,	Heavey,	McLaughlin,	Strausser,
Clarke,	Heffner,	McNally,	Sullivan, T. F.,
Comer,	Helm,	Meholchick,	Thompson,
Cooley,	Henzel,	Merry,	Tompkins,
Crossin,	Hocker,	Miller,	Varner,
Davis,	Holman,	Mills,	Verona,
Dengler,	Horst,	Monroe,	Wall,
Dennison,	Irviss,	Morley,	Wargo,
Dougherty,	Isaacs,	Mullen,	Weidner,
Doughten,	Jim,	Munley,	Welsh,
Down,	Johnson, A. W.,	Murphy,	Wescott,
Edwards,	Jones,	Musto,	Whittaker,
Ellberg,	Kamyk,	O'Donnell, J. A.,	Willard,
Elvey,	Kelser,	O'Donnell, J. P.,	Willaredt,
Eshback,	Kelly,	Odoriso,	Williams, A. D.,
Eshleman,	Kernaghan,	Ogilvie,	Williams, E. S.,
Esler,	Kessler,	Parlante,	Wilt,
Fetterolf,	Kistler,	Perry,	Wood,
Filo,	Knecht,	Petrosky,	Worley,
Flynn,	Kooker,	Piper,	Wynd,
Foerster,	Kornick,	Polaski,	Yetter,
Frascella,	Korns,	Polen,	Zember,
Fry,	Kramer,	Prendergast,	Zimmerman,
Galley,	Lamb,	Pursley,	Andrews,

Speaker

NAYS—19

Ashton,	Farabaugh,	Johnson, R. P.,	Price,
Backenstoe,	Foor,	King,	Rutherford,
Bossert,	Fulmer,	Magee,	Slack,
Donaldson,	Goodrich,	McCandless,	Stiteler,
Ewing,	Holliday,	O'Dell,	

NOT VOTING—31

Boies,	Holl,	Murray,	Stimmel,
Bowman,	Jenkins,	Needham,	Sullivan, J. A.,
Cauley,	Klein,	Pashley,	Taylor,
Curwood,	Lippincott,	Renwick,	Tomascik,
Fineman,	McCormack,	Riley,	Trusio,
Fox,	McDonald,	Royer,	Ujobai,
Guesman,	McInroy,	Schuster,	Walsh,
Haudenshield,	Mihm,	Seltzer,	

The majority required by the Constitution having voted in the affirmative the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 552, entitled:

An Act repealing section 58 of the act of April 28, 1899 (P. L. 133), entitled "An act to provide for the organization discipline and regulation of the National Guard of Pennsylvania".

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—106

Anderson, J. H.,	Frascella,	Lawson,	Polen,
Anderson, S. A.,	Fry,	Limper,	Prendergast,
Arlene,	Fulmer,	Long, Wm. Jas.,	Reibman,
Auker,	Galley,	Long, Wm. Jos.,	Reidenbach,
Bachman,	Gallagher,	Lutty,	Rovansek,
Backenstoe,	Gibbons,	Markley,	Rubin,
Bonner,	Goldstein, M. H.,	Marsh,	Rudisill,
Bossert,	Goodrich,	Maxwell,	Sakulsky,
Branca,	Gray,	McCann,	Scarcelli,
Breth,	Greenlee,	McDevitt,	Schaaf,
Capano,	Gremminger,	McLaughlin,	Shelton,
Capitolo,	Hamilton,	McNally,	Sherman,
Cianfrani,	Hankins,	Meholchick,	Shupnik,
Cioffi,	Hartley,	Mills,	Stank,
Clarke,	Heavey,	Monroe,	Stone,
Comer,	Heffner,	Morley,	Sullivan, T. F.,
Cooley,	Henzel,	Mullen,	Trusio,
Crossin,	Hocker,	Munley,	Varner,
Dennison,	Holl,	Murphy,	Verona,
Dougherty,	Holman,	Musto,	Wargo,
Doughten,	Irviss,	O'Donnell, J. A.,	Welsh,
Ellberg,	Jim,	O'Donnell, J. P.,	Wescott,
Farabaugh,	Jones,	Parlante,	Willaredt,
Fetterolf,	Kamyk,	Perry,	Wilt,
Filo,	Kelly,	Petrosky,	Zember,
Flynn,	Kornick,	Polaski,	Andrews,
Forester,	Kramer,		Speaker

NAYS—71

Adams,	Gramlich,	Lee, A. M.,	Snare,
Ashton,	Gross,	Lee, K. B.,	Steckel,
Blair,	Guthrie,	Magee,	Stiteler,
Bower,	Helm,	Manbeck,	Strausser,
Buchanan,	Holliday,	May,	Thompson,
Bush,	Horst,	McCandless,	Tompkins,
Davis,	Isaacs,	Merry,	Wall,
Dengler,	Johnson, A. W.,	Miller,	Weidner,
Down,	Johnson, R. P.,	Murray,	Whittaker,
Edwards,	Kelser,	O'Dell,	Willard,
Elvey,	Kernaghan,	Odoriso,	Williams, A. D.,
Eshback,	Kessler,	Ogilvie,	Williams, E. S.,
Eshleman,	King,	Piper,	Wood,
Ewing,	Kistler,	Price,	Worley,
Foor,	Knecht,	Pursley,	Wynd,
George,	Kooker,	Rutherford,	Yetter,
Gibb,	Korns,	Simmons,	Zimmerman,
Goldstein, J. H.,	Lamb,	Slack,	

NOT VOTING—33

Boies,	Guesman,	McInroy,	Schuster,
Bowman,	Haudenshield,	McKeever,	Seltzer,
Cauley,	Jenkins,	Mihm,	Stimmel,
Curwood,	Klein,	Needham,	Sullivan, J. A.,
Donaldson,	Leonard,	Pashley,	Taylor,
Esler,	Lippincott,	Renwick,	Tomascik,
Fineman,	McCormack,	Riley,	Ujobai,
Fox,	McDonald,	Royer,	Walsh,
Gelfand,			

The majority required by the Constitution having voted in the affirmative the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Mr. HELM IN THE CHAIR

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 583, entitled:

An Act amending the act of May 27, 1949 (P. L. 190), entitled "The Military Code of 1949" removing the exemption of certain persons from jury duty.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—93

Anderson, J. H.,	Gallagher,	Limper,	Prendergast,
Arlene,	Gibbons,	Long, Wm. Jas.,	Reibman,
Auker,	Goldstein, M. H.,	Long, Wm. Jos.,	Rovansek,
Bachman,	Gray,	Lutty,	Rubin,
Backenstoe,	Greenlee,	Marsh,	Sakulsky,
Bonner,	Gremminger,	Maxwell,	Scarcelli,
Bossert,	Hamilton,	McCann,	Sherman,
Branca,	Hankins,	McDevitt,	Shupnik,
Breth,	Hartley,	McLaughlin,	Stank,
Capano,	Heavey,	McNally,	Steckel,
Capitolo,	Henzel,	Meholchick,	Stone,
Cianfrani,	Holl,	Mills,	Sullivan, T. F.,
Cioffi,	Holman,	Morley,	Trusio,
Cooley,	Horst,	Mullen,	Verona,
Crossin,	Jim,	Munley,	Wargo,
Doughten,	Jones,	Murphy,	Welsh,
Farabaugh,	Kamyk,	Murray,	Wescott,
Fetterolf,	Kelly,	Musto,	Willaredt,
Filo,	Kistler,	O'Donnell, J. A.,	Williams, A. D.,
Flynn,	Kornick,	O'Donnell, J. P.,	Wood,
Frascella,	Kramer,	Parlante,	Yetter,
Fry,	Lamb,	Perry,	Zember,
Fulmer,	Lawson,	Polen,	Andrews,
Galley,			Speaker

NAYS—85

Adams,	Gelfand,	Kooker,	Reidenbach,
Anderson, S. A.,	George,	Korns,	Rudisill,
Ashton,	Gibb,	Lee, A. M.,	Rutherford,
Blair,	Goldstein, J. H.,	Lee, K. B.,	Schaaf,
Bower,	Goodrich,	Magee,	Simmons,
Buchanan,	Gramlich,	Manbeck,	Slack,
Bush,	Gross,	Markley,	Snare,
Clarke,	Guthrie,	May,	Stiteler,
Comer,	Heffner,	McCandless,	Strauser,
Davis,	Helm,	McKeever,	Thompson,
Dengler,	Hocker,	Merry,	Tompkins,
Dennison,	Holliday,	Miller,	Varnier,
Dougherty,	Irvis,	Monroe,	Wall,
Down,	Isaacs,	O'Dell,	Weidner,
Edwards,	Johnson, A. W.,	Odorisio,	Whittaker,
Eilberg,	Johnson, R. P.,	Ogilvie,	Willard,
Elvey,	Keiser,	Petrosky,	Williams, E. S.,
Eshback,	Kernaghan,	Piper,	Williams, E. S.,
Eshleman,	Kessler,	Polaski,	Wood,
Ewing,	King,	Price,	Wynd,
Forester,	Knecht,	Pursley,	Zimmerman,
Foor,			

NOT VOTING—32

Boles,	Guesman,	McInroy,	Seltzer,
Bowman,	Haudenshield,	Mihm,	Shelton,
Cauley,	Jenkins,	Needham,	Stimmel,
Curwood,	Klein,	Pashley,	Sullivan, J. A.,
Donaldson,	Leonard,	Renwick,	Taylor,
Esler,	Lippincott,	Riley,	Tomasick,
Fineman,	McCormack,	Royer,	Ujobai,
Fox,	McDonald,	Schuster,	Walsh,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 295, entitled:

An Act fixing the fees of the prothonotaries in counties

of the fourth, fifth, sixth, seventh and eighth class fixing the time when they are to be paid and the person liable for payment and imposing powers and duties on the prothonotaries their deputies and clerks.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—167

Adams,	Fulmer,	Lee, A. M.,	Reibman,
Anderson, J. H.,	Gallagher,	Lee, K. B.,	Reidenbach,
Anderson, S. A.,	Gelfand,	Lamper,	Rovansek,
Arlene,	George,	Long, Wm. Jas.,	Rubin,
Ashton,	Gibb,	Long, Wm. Jos.,	Rudisill,
Bachman,	Gibbons,	Lutty,	Rutherford,
Backenstoe,	Goldstein, J. H.,	Magee,	Sakulsky,
Blair,	Goodrich,	Manbeck,	Scarcelli,
Bonner,	Gramlich,	Markley,	Schaaf,
Bossert,	Gray,	Marsh,	Shelton,
Branca,	Greenlee,	Maxwell,	Sherman,
Breth,	Gremminger,	May,	Shupnik,
Buchanan,	Guthrie,	McCandless,	Slack,
Bush,	Hamilton,	McCann,	Snare,
Capano,	Hankins,	McDevitt,	Stank,
Capitolo,	Hartley,	McKeever,	Steckel,
Cioffi,	Heavey,	McLaughlin,	Stiteler,
Clarke,	Heffner,	McNally,	Stone,
Comer,	Helm,	Meholchick,	Strauser,
Cooley,	Henzel,	Merry,	Sullivan, T. F.,
Crossin,	Hocker,	Miller,	Thompson,
Davis,	Holl,	Mills,	Tompkins,
Dengler,	Holliday,	Monroe,	Trusio,
Dennison,	Irvis,	Morley,	Varnier,
Donaldson,	Isaacs,	Mullen,	Verona,
Dougherty,	Jim,	Munley,	Wall,
Doughten,	Johnson, A. W.,	Murphy,	Wargo,
Down,	Johnson, R. P.,	Musto,	Weidner,
Edwards,	Jones,	O'Dell,	Welsh,
Eilberg,	Kamyk,	O'Donnell, J. A.,	Wescott,
Elvey,	Keiser,	O'Donnell, J. P.,	Whittaker,
Eshback,	Kelly,	Odorisio,	Willard,
Eshleman,	Kernaghan,	Ogilvie,	Willaredt,
Ewing,	Kessler,	Parlante,	Williams, A. D.,
Farabaugh,	King,	Perry,	Williams, E. S.,
Fetterolf,	Kistler,	Petrosky,	Wood,
Filo,	Knecht,	Piper,	Wynd,
Flynn,	Kooker,	Polaski,	Yetter,
Forester,	Kornick,	Polen,	Zember,
Foor,	Kramer,	Prendergast,	Zimmerman,
Frascella,	Lamb,	Price,	Andrews,
Fry,	Lawson,	Pursley,	Speaker

NAYS—12

Auker,	Galley,	Holman,	Simmons,
Cianfrani,	Goldstein, M. H.,	Horst,	Wilt,
Esler,	Gross,	Korns,	Worley,

NOT VOTING—31

Boles,	Haudenshield,	Mihm,	Seltzer,
Bower,	Jenkins,	Murray,	Stimmel,
Bowman,	Klein,	Needham,	Sullivan, J. A.,
Cauley,	Leonard,	Pashley,	Taylor,
Curwood,	Lippincott,	Renwick,	Tomasick,
Fineman,	McCormack,	Riley,	Ujobai,
Fox,	McDonald,	Royer,	Walsh,
Guesman,	McInroy,	Schuster,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1630, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing a further limitation on the taxing authority of school districts lying in more than one county.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—176

Adams,	Galley,	Lawson,	Reidenbach,
Anderson, S. A.,	Gallagher,	Lee, A. M.,	Rovansek,
Arlene,	Gelfand,	Lee, K. B.,	Rubin,
Ashton,	George,	Limper,	Rudisill,
Auker,	Gibb,	Long, Wm. Jas.,	Rutherford,
Bachman,	Gibbons,	Long, Wm. Jos.,	Sakulsky,
Backenstoe,	Goldstein, J. H.,	Lutty,	Scarcell,
Blair,	Goldstein, M. H.,	Magee,	Schaaf,
Bonner,	Goodrich,	Manbeck,	Schuster,
Bossert,	Gramlich,	Markley,	Shelton,
Bower,	Gray,	Marsh,	Sherman,
Branca,	Greenlee,	Maxwell,	Shupnik,
Breth,	Gremminger,	May,	Simmons,
Buchanan,	Gross,	McCandless,	Slack,
Bush,	Guthrie,	McCann,	Snare,
Capano,	Hamilton,	McDevitt,	Stank,
Cianfrani,	Hankins,	McKeever,	Steckel,
Cioffi,	Hartley,	McLaughlin,	Stiteler,
Clarke,	Heffner,	McNally,	Stone,
Comer,	Helm,	Meholchick,	Strausser,
Cooley,	Heavey,	Merry,	Sullivan, T. F.,
Crossin,	Hocker,	Miller,	Thompson,
Davis,	Holl,	Mills,	Tompkins,
Dengler,	Holliday,	Monroe,	Trusio,
Dennison,	Holman,	Morley,	Varner,
Donaldson,	Horst,	Mullen,	Verona,
Dougherty,	Irls,	Munley,	Wall,
Doughten,	Isaacs,	Murphy,	Wargo,
Down,	Jim,	Musto,	Weidner,
Edwards,	Johnson, A. W.,	O'Dell,	Welsh,
Elvey,	Johnson, R. P.,	O'Donnell, J. A.,	Wescott,
Eshback,	Kamyk,	O'Donnell, J. P.,	Whittaker,
Eshleman,	Kelser,	Odorisio,	Willard,
Esler,	Kelly,	Ogilvie,	Willaredt,
Ewing,	Kernaghan,	Parlante,	Williams, A. D.,
Farabaugh,	Kessler,	Perry,	Williams, E. S.,
Fetterolf,	King,	Petrosky,	Wilt,
Filo,	Kistler,	Piper,	Wood,
Flynn,	Knecht,	Polaski,	Worley,
Foerster,	Kooker,	Polen,	Wynd,
Foor,	Kornick,	Prendergast,	Yetter,
Frascella,	Korns,	Price,	Zember,
Fry,	Kramer,	Pursley,	Zimmerman,
Fulmer,	Lamb,	Reibman,	Andrews,

Speaker

NAYS—0

NOT VOTING—34

Anderson, J. H.	Guesman,	McDonald	Royer,
Boles,	Haudenschild,	McInroy,	Seltzer,
Bowman,	Henzel,	Mihm,	Stimmel,
Capitolo,	Jenkins,	Murray,	Sullivan, J. A.
Cauley,	Jones,	Needham,	Taylor,
Curwood,	Klein,	Pashley,	Tomasclck,
Ellberg,	Leonard,	Renwick,	Ujobal,
Fineman,	Lippincott,	Riley,	Walsh,
Fox,	McCormack,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 555, entitled:

An Act amending the act of May 15, 1933 (P. L. 624), entitled as amended "Banking Code," further providing for the participation of loans between banking companies.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—173

Adams,	Gelfand,	Lawson,	Reibman,
Anderson, S. A.,	George,	Lee, A. M.,	Reidenbach,
Arlene,	Gibb,	Lee, K. B.,	Rovansek,
Ashton,	Gibbons,	Limper,	Rubin,
Bachman,	Goldstein, J. H.,	Long, Wm. Jas.,	Rudisill,
Backenstoe,	Goldstein, M. H.,	Long, Wm. Jos.,	Rutherford,
Blair,	Goodrich,	Lutty,	Sakulsky,
Bonner,	Gramlich,	Magee,	Scarcell,
Bossert,	Gray,	Manbeck,	Schuster,
Bower,	Greenlee,	Markley,	Shelton,
Branca,	Gremminger,	Marsh,	Sherman,
Breth,	Gross,	Maxwell,	Shupnik,
Buchanan,	Guthrie,	McCandless,	Simmons,
Bush,	Hamilton,	McCann,	Slack,
Capano,	Hankins,	McDevitt,	Snare,
Capitolo,	Hartley,	McKeever,	Stank,
Cioffi,	Heavey,	McLaughlin,	Steckel,
Clarke,	Heffner,	McNally,	Stiteler,
Comer,	Helm,	Meholchick,	Stone,
Cooley,	Henzel,	Merry,	Strausser,
Crossin,	Hocker,	Miller,	Thompson,
Davis,	Holl,	Mills,	Tompkins,
Dengler,	Holliday,	Monroe,	Trusio,
Dennison,	Holman,	Morley,	Varner,
Donaldson,	Horst,	Mullen,	Verona,
Dougherty,	Irls,	Munley,	Wall,
Doughten,	Isaacs,	Murphy,	Wargo,
Down,	Jim,	Musto,	Weidner,
Edwards,	Johnson, A. W.,	O'Dell,	Welsh,
Elberg,	Johnson, R. P.,	O'Donnell, J. A.,	Wescott,
Elvey,	Jones,	O'Donnell, J. P.,	Whittaker,
Eshback,	Kamyk,	Odorisio,	Willard,
Eshleman,	Esler,	Kelser,	Willaredt,
Ewing,	Kelly,	Ogilvie,	Williams, A. D.,
Farabaugh,	Kernaghan,	Parlante,	Williams, E. S.,
Fetterolf,	Kessler,	Perry,	Wilt,
Filo,	King,	Petrosky,	Wood,
Flynn,	Kistler,	Piper,	Worley,
Foerster,	Knecht,	Polaski,	Wynd,
Foor,	Kooker,	Polen,	Yetter,
Frascella,	Kornick,	Prendergast,	Zember,
Fry,	Kramer,	Price,	Zimmerman,
Fulmer,	Lamb,	Pursley,	Andrews,

Speaker

NAYS—3

NOT VOTING—34

Anderson, J. H.,	Auker,	Korns,
Boles,	Guesman,	McInroy,
Bowman,	Haudenschild,	Mihm,
Cauley,	Jenkins,	Needham,
Cianfrani,	Klein,	Pashley,
Curwood,	Leonard,	Renwick,
Dougherty,	Lippincott,	Riley,
Fineman,	May,	Royer,
Fox,	McCormack,	Schaaf,
Fulmer,	McDonald,	
		Seltzer,
		Stimmel,
		Sullivan, J. A.,
		Sullivan, T. F.,
		Taylor,
		Tomasclck,
		Ujobal,
		Walsh,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1709, entitled:

An Act making an appropriation to the Department of Public Welfare for the maintenance of certain hospitals.

On the question,
Shall the bill pass finally?

RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. POLEN. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. POLEN asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Sec. 1, page 1, lines 1 and 2, by striking out "seventeen million three hundred sixty-seven thousand five hundred dollars (\$17,367,500)" and inserting: seventeen million two hundred fifty-nine thousand one hundred twenty-five dollars (\$17,259,125)

Amend Sec. 1, page 10, line 9, by striking out "150,000" and inserting: 41,625

Amend Sec. 1, page 12, line 20, by striking out "\$17,367,500" and inserting: \$17,259,125

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

TIME EXTENDED ON BILL

Mr. McCANN asked and obtained unanimous consent to extend the time five days on House bill No. 1106, printer's No. 2012, on page 7 of today's calendar, bills on final passage postponed.

BILLS AND RESOLUTIONS PASSED OVER

Mr. McCANN. Mr. Speaker, I request that all other bills and resolutions not acted upon on today's calendar be passed over.

The SPEAKER pro tempore. The Chair hears no objection.

RECONSIDERATION OF VOTE ON SENATE BILL NO. 191

Mr. MUSTO. Mr. Speaker, I move that the vote by which Senate bill No. 191, printer's No. 564, entitled:

"An Act amending the act of April 29, 1959 (P. L. 58), entitled 'The Vehicle Code' including additional buses within the provisions relating to school buses further providing for the operation of school buses and lights located thereon and providing penalties."

was defeated on final passage Wednesday, July 12, 1961, be reconsidered.

Mr. MEHOLCHICK. Mr. Speaker, I second the motion.

The SPEAKER pro tempore. How did the gentleman from Luzerne, Mr. Musto, vote on the final passage of this bill?

Mr. MUSTO. Mr. Speaker, I voted with the prevailing side.

The SPEAKER pro tempore. How did the gentleman from Luzerne, Mr. Mehlochick, vote on the final passage of this bill?

Mr. MEHOLCHICK. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED

Mr. McCANN. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

RECONSIDERATION OF VOTE ON HOUSE BILL NO. 1248

Mr. McCANN. Mr. Speaker, I move that the vote by which House bill No. 1248, printer's No. 2425, entitled:

"An Act amending 'The Administrative Code of 1929' approved April 9, 1929 (P. L. 177), changing the provisions relating to leaves for certain State employees."

was defeated on final passage Monday, July 10, 1961, be reconsidered.

Mr. PETROSKY. Mr. Speaker, I second the motion.

The SPEAKER pro tempore. How did the gentleman from Greene, Mr. McCann, vote on the final passage of this bill?

Mr. McCANN. Mr. Speaker, I voted with the prevailing side.

The SPEAKER pro tempore. How did the gentleman from Westmoreland, Mr. Petrosky, vote on the final passage of this bill?

Mr. PETROSKY. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED

Mr. McCANN. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos: 29, 48, 141, 148, 160, 179, 263, 281, 319, 423, 591, 650, 659, 680, 817, 823, 1042 and 1144.

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, July 13, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 29, printer's No. 883,

entitled "An Act authorizing the court to order the parties under certain circumstances to submit to blood grouping tests under certain conditions and the effect thereof."

DAVID L. LAWRENCE.

July 13, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 48, printer's No. 1889, entitled "An Act amending the act of April 27, 1927 (P. L. 414), entitled as amended 'An act providing for a system of recording the identification of persons convicted of crime and of fugitives from justice and habitual criminals conferring powers and imposing duties upon the Pennsylvania State Police district attorneys police officers wardens or keepers of jails prisons workhouses or other penal institutions and sheriffs providing for the payment of certain expenses by the counties and imposing penalties' making it unlawful to take the fingerprints or photographs of persons in custody who are charged with CERTAIN VIOLATIONS of 'The Vehicle Code.'"

DAVID L. LAWRENCE.

July 13, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 141, printer's No. 1431, entitled "An Act amending the act of September 29, 1951 (P. L. 1645), entitled 'An act authorizing the orphans' courts of the several counties upon application therefor to place documents defined as historical documents in the temporary custody of certain associations maintaining facilities for public display of historical writings conferring powers and imposing duties on registers of wills' extending the provisions of the act to the recorder of deeds the clerk of courts and the prothonotary and imposing duties on the court of common pleas."

DAVID L. LAWRENCE.

July 13, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 148, printer's No. 1336, entitled "An Act amending the act of March 10, 1949 (P. L. 30), entitled 'Public School Code of 1949' providing for an assistant secretary of the board of school directors."

DAVID L. LAWRENCE.

July 13, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 160, printer's No. 1018, entitled "An Act amending the act of March 27, 1945 (P. L. 83), entitled 'An act regulating the issuance of execution on judgments confessed on written instruments and providing that when such judgments are entered in one county defenses may be made to the same by petition to open filed in any other county where execution thereon is issued or made' providing defenses in any county in which a judgment is transferred."

DAVID L. LAWRENCE.

July 13, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 179, printer's No. 179,

entitled "An Act amending the act of May 23, 1919 (P. L. 278), entitled 'An act supplementary to an act approved the eleventh day of May one thousand nine hundred and eleven entitled "An act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weights and fixing the penalties for the violation of the provisions hereof" providing for the examination of the glassware used for testing milk and cream for butterfat with the Babcock test prohibiting the use of inaccurate testing glassware defining the term Standard Babcock Glassware and fixing penalties for the violations of the provisions of this act' providing that bottles pipettes and weights used for testing shall comply with the law to type and need not be examined and marked individually."

DAVID L. LAWRENCE.

July 13, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 263, printer's No. 783, entitled "An Act amending the act of April 4, 1925 (P. L. 127), entitled 'An act relating to adoption' authorizing the filing of foreign adoption records in the orphans' court and information relating thereto with the Department of Public Welfare."

DAVID L. LAWRENCE.

July 13, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 281, printer's No. 306, entitled "An Act amending the act of March 10, 1949 (P. L. 30), entitled 'Public School Code of 1949' authorizing second class school districts to make additions and revisions to tax duplicates."

DAVID L. LAWRENCE.

July 13, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 319, printer's No. 348, entitled "An Act amending the act of May 1, 1933 (P. L. 103), entitled 'The Second Class Township Code' providing for the election of two additional supervisors in certain townships."

DAVID L. LAWRENCE.

July 13, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 423, printer's No. 1133, entitled "An Act amending the act of June 3, 1937 (P. L. 1225), entitled 'The Game Law,' further regulating field meets and trials."

DAVID L. LAWRENCE

July 13, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 591, printer's No. 636, entitled "An Act amending the act of May 26, 1949 (P. L. 1828), entitled 'Fiduciaries Investment Act of 1949,' providing for authorized investments in interest-bearing deposits."

DAVID L. LAWRENCE

July 13, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 650, printer's No. 706, entitled "An Act amending the act of April 17, 1893 (P. L. 21), entitled as amended 'An act to facilitate the labors of the judges of the court of common pleas and orphans' court of the county in which the seat of government is or may be located in the disposition of the business of the Commonwealth by providing suitable clerical assistance,' further providing for the salaries of stenographers and clerks."

DAVID L. LAWRENCE

July 13, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 659, printer's No. 715, entitled "An Act amending the act of June 3, 1937 (P. L. 1225), entitled 'The Game Law,' limiting the number of persons who may hunt deer in unison or as a party."

DAVID L. LAWRENCE

July 13, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 680, printer's No. 2066, entitled "An Act amending the act of May 1, 1933 (P. L. 103), entitled 'The Second Class Township Code,' authorizing disturbing the peace to be defined and penalized and providing for disposition of such penalties."

DAVID L. LAWRENCE

July 13, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 817, printer's No. 899, entitled "An Act amending the act of December 15, 1959 (P. L. 1779), entitled 'The Fish Law,' deleting the requirement of reports by artificial propagation licensees."

DAVID L. LAWRENCE

July 13, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 823, printer's No. 905, entitled "An Act amending the act of December 15, 1959 (P. L. 1779), entitled 'The Fish Law of 1959,' changing the fishing license year."

DAVID L. LAWRENCE

July 13, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 1042, printer's No. 2069, entitled "An Act amending the act of May 4, 1927 (P. L. 519), entitled 'The Borough Code,' expanding the authority of boroughs to make annual appropriations for nursing services."

DAVID L. LAWRENCE

July 13, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 1144, printer's No. 1276, entitled "An Act amending the act of June 3, 1937 (P. L. 1333), entitled 'Pennsylvania Election Code,' providing for the appointment of additional clerks at polling places in counties of the third class."

DAVID L. LAWRENCE

RECONSIDERATION OF VOTE ON SENATE BILL NO. 101

Mr. McCANN. Mr. Speaker, I move that the vote by which Senate bill No. 101, printer's No. 1060, entitled:

"An Act amending the act of April 29, 1959 (P. L. 58), entitled 'The Vehicle Code,' requiring brake linings to be approved, prohibiting the sale of unapproved linings; providing for the issuing and revocation of certificates of approval; establishing fees and providing penalties."

was defeated on final passage Tuesday, July 11, 1961, be reconsidered.

Mr. PETROSKY. Mr. Speaker, I second the motion.

The SPEAKER pro tempore. How did the gentleman from Greene, Mr. McCann, vote on the final passage of this bill?

Mr. McCANN. Mr. Speaker, I voted with the prevailing side.

The SPEAKER pro tempore. How did the gentleman from Westmoreland, Mr. Petrosky, vote on the final passage of this bill?

Mr. PETROSKY. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED

Mr. McCANN. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

STATEMENT BY MAJORITY LEADER

Mr. McCANN. Mr. Speaker, I want the record to show that today we passed or voted on 34 measures; some fell and some passed. Three more days like that and the calendar would be bone dry.

ADJOURNMENT

Mr. BONNER. Mr. Speaker, I move that this House do now adjourn until Monday, July 17, 1961, at 2 p. m., e. s. t.

The motion was agreed to, and (at 3:20 p. m., e. s. t.) the House adjourned.

Legislative Journal.

Session 1961.

145th of the General Assembly.

Vol. 38.

HARRISBURG, PA., MONDAY, JULY 17, 1961.

No. 77.

SENATE

MONDAY, JULY 17, 1961.

The Senate met at 1:30 p.m., Eastern Standard Time.

The PRESIDENT (Lieutenant Governor John Morgan Davis) in the Chair.

PRAYER

The Chaplain, Rev. Doctor RONALD F. YOUNGBLOOD, Assistant Professor of Old Testament, Bethel Theological Seminary, St. Paul, Minnesota, offered the following prayer:

Let us pray.

Almighty God, our Heavenly Father, we invoke Thy divine favor upon all these Thy servants who have gathered here this afternoon, praying that Thy Spirit may rest on them as they deliberate on those matters that constitute the occasion of this legislative session.

Keep us mindful, O God, of the fact that the days in which we live are days of crisis and uncertainty. Impress upon us, with telling effect, the solemn truth of the observation that our ultimate strength as a Nation resides not in the massive retaliatory power of our armaments, or in the magnitude of our gross national product, or in the magnificence of our architecture, or in any other of our material accomplishments, impressive though these be. Instill in us the realization that we are physically great because we are spiritually great, and that the encouragement and development of our spiritual legacy are indispensable to all future material progress, as well as to eventual victory in the war of ideologies in which, though unsolicited and unprovoked by us, we are joined in battle.

Guide these Thy legislators and stewards, into whose hands the people of this Commonwealth have entrusted their affairs, to the insight that as the State goes, so goes the Nation. Help them to shore up the moral and ethical foundations of our culture in the domestic realm; assist them in preserving the traditions of freedom and justice that are enshrined in Pennsylvania's history; grant to them the wisdom and the perspicacity necessary for the equitable prosecution of their assigned duties; and give them the self-reliance to believe that their deliberations and the resultant enactment of laws are worthy of emulation in sister States.

In the Name of Jesus Christ we pray. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. LANE and Mr. RIPP, further reading was dispensed with, and the Journal was approved.

COMMUNICATIONS FROM THE GOVERNOR

APPROVAL OF SENATE BILLS

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor, advising that the following Senate Bills had been approved and signed by the Governor:

SB 94, 133, 182, 183, 186, 239, 309, 417 and 570.

NOMINATION BY THE GOVERNOR REFERRED TO COMMITTEE

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

MEMBERS OF THE BOARD OF TRUSTEES OF EDINBORO STATE COLLEGE

July 17, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Board of Trustees of Edinboro State College:

Hugh A. O'Hare, 101 East Smith Street, Corry, Erie County, until the third Tuesday of January 1965, and until his successor shall have been appointed and qualified, vice Malcolm B. Mershon, Girard, whose term expired.

Hyman A. Roseman, 638 Vermont Avenue, Erie, Erie County, until the third Tuesday of January 1967, and until his successor shall have been appointed and qualified, vice W. Verne Zahneiser, Edinboro, whose term expired.

DAVID L. LAWRENCE

MEMBER OF THE STATE BOARD OF CHIROPODY EXAMINERS

July 17, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate J. S. Pincus, 26 North Third Street, Harrisburg, Dauphin County, for reappointment as a member of the State Board of Chiropractic Examiners, for the term of four years, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE

MEMBER OF THE FRANKLIN COUNTY
BOARD OF ASSISTANCE

July 17, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Louis S. Dougherty (Democrat), 320 Philadelphia Avenue, Chambersburg, Franklin County, for appointment as a member of the Franklin County Board of Assistance, until December 31, 1962, and until his successor is duly appointed and qualified, vice Joseph W. Spangler, Chambersburg, deceased.

DAVID L. LAWRENCE

MEMBER OF THE PHILADELPHIA COUNTY
BOARD OF ASSISTANCE

July 17, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mayer I. Blum (Republican), 2601 Benjamin Franklin Parkway, Philadelphia 30, Philadelphia County, for appointment as a member of the Philadelphia County Board of Assistance, until December 31, 1961, and until his successor is duly appointed and qualified, vice John G. Keck, Philadelphia, resigned.

DAVID L. LAWRENCE

JUSTICE OF THE PEACE

July 17, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John V. Murphy, 329 West Laurel Street, Tremont, Schuylkill County, for appointment as Justice of the Peace in and for the Borough of Tremont, Schuylkill County, to serve until the first Monday of January 1962, vice William I. Morgan, deceased.

DAVID L. LAWRENCE

HOUSE MESSAGES

HOUSE NONCONCURS IN SENATE AMENDMENTS
TO HOUSE BILL

The Clerk of the House of Representatives being introduced, informed the Senate that the House has nonconcurred in amendments made by the Senate to **HB 853**.

SENATE INSISTS UPON ITS AMENDMENTS NON-
CONCURRED IN BY THE HOUSE TO **HB 853**

Mr. WEINER. Mr. President, I move that the Senate do insist upon its amendments to House Bill No. 853, and that a Committee of Conference on the part of the Senate be appointed.

Mr. RIPP. Mr. President, I second the motion.
The motion was agreed to.

HOUSE NONCONCURS IN SENATE AMENDMENTS
TO HOUSE BILL

He also informed the Senate that the House has nonconcurred in amendments made by the Senate to **HB 990**.

SENATE INSISTS UPON ITS AMENDMENTS NON-
CONCURRED IN BY THE HOUSE TO **HB 990**

Mr. WEINER. Mr. President, I move that the Senate do insist upon its amendments to House Bill No. 990, and

that a Committee of Conference on the part of the Senate be appointed.

Mr. LANE. Mr. President, I second the motion.
The motion was agreed to.

HOUSE NONCONCURS IN SENATE AMENDMENTS
TO HOUSE BILL

He also informed the Senate that the House has nonconcurred in amendments made by the Senate to **HB 1407**.

SENATE INSISTS UPON ITS AMENDMENTS NON-
CONCURRED IN BY THE HOUSE TO **HB 1407**

Mr. WEINER. Mr. President, I move that the Senate do insist upon its amendments to House Bill No. 1407, and that a Committee of Conference on the part of the Senate be appointed.

Mr. LANE. Mr. President, I second the motion.
The motion was agreed to.

UNANIMOUS CONSENT GRANTED FOR
IMMEDIATE CONSIDERATION OF THE
CALENDAR

Mr. WEINER. Mr. President, I now ask that the Senate proceed to the order of business of consideration of today's Calendar.

The PRESIDENT. The Chair hears no objection, and we will proceed with consideration of the Calendar.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

SB 100 (Pr. No. 1059)—Mr. WEINER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 100.

Mr. LANE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Probert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

FINAL PASSAGE CALENDAR

BILLS OVER IN ORDER

SB 198—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

SB 493—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

RECONSIDERATION OF VOTE

SB 687 (Pr. No. 800)—On the question,

Shall the bill pass finally?

Mr. SHAFER. Mr. President, I move to reconsider the vote by which this bill passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. SHAFER. Mr. President, I voted with the prevailing side.

Mr. FLEMING. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. FLEMING. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. SHAFER, by unanimous consent, offered the following amendments:

Amend Sec. 2 (Sec. 501), page 4, line 8, by inserting after "These": Commonwealth and district residence.

Amend Sec. 3 (Sec. 502), page 6, lines 10 to 12 by striking out "except for applicants" in line 10, all of line 11, and "administration of the Public Assistance Law and related statutes" in line 12.

Amend Sec. 3 (Sec. 502), page 6, line 15, by inserting after "position": provided however that scholastic education may be required of applicants for positions concerned exclusively with the administration of the Public Assistance Law and related statutes when upon recommendation of the Executive Director of the Civil Service Commission the Executive Board declares such positions to be professional or technical in nature.

On the question,

Will the Senate agree to the amendments?

Mr. WEINER. Mr. President, may we be at ease a moment?

The PRESIDENT. The Senate will be at ease.

(The Senate was at ease.)

And the question recurring,

Will the Senate agree to the amendments?

They were agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. SHAFER.

BILLS OVER IN ORDER

HB 1082, 1140 and 1241—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

BILL ON FINAL PASSAGE DEFEATED

HB 1353 (Pr. No. 1599)—On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—19

Camiel,	Hays,	Ripp,	Staisey,
Devlin,	Lane,	Rooney,	Stiefel,
DiSilvestro,	Mahady,	Sarrafi,	Weiner,
Donolow,	McGinnis,	Sesler,	Yatron,
Haluska,	Mullin,	Silvert,	

NAYS—22

Bell,	Hawbaker,	Pechan,	Stroup,
Berger,	Keller,	Propert,	Wade,

Chapman,
Confair,
Ehrgood,
Fleming,

Kessler,
Kromer,
Madigan,
Mallery,

Scott,
Seyler,
Shafer,

Wagner,
Ware, III,
Wolfe,

Less than a majority of all the Senators having voted "aye," the question was determined in the negative, and the bill was defeated.

BILLS OVER IN ORDER

HB 1367 and 1450—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

THIRD READING CALENDAR

BILLS OVER IN ORDER

SB 23 and HB 53—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

BILL ON THIRD READING AMENDED

HB 67 (Pr. No. 885)—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. KESSLER, by unanimous consent, offered the following amendments:

Amend Sec. 1, page 2, lines 18 to 20, page 3, lines 1 to 6, by striking out all of said lines.

Amend Sec. 4, page 4, lines 18 to 20; page 5, lines 1 to 6, by striking out all of said lines.

Amend Sec. 5, page 5, lines 7 to 16, by striking out all of said lines.

Amend Sec. 6, page 5, line 17, by striking out "6" and inserting: 4.

Amend Sec. 6, page 5, line 17, by inserting after "apply": in townships of the second class nor.

Amend Sec. 7, page 6, line 4, by striking out "7" and inserting: 5.

Amend Sec. 7, page 6, line 10, by striking out "ONE THOUSAND DOLLARS (\$1000)" and inserting: one hundred dollars (\$100).

Amend Sec. 7, page 6, lines 10 and 11, by striking out "five thousand dollars (\$5000)" and inserting: five hundred dollars (\$500).

Amend Sec. 7, page 6, lines 12 to 16, by striking out "AND IN ADDITION" in line 12, and all of lines 13 to 16.

Amend Sec. 8, page 6, line 17, by striking out "8" and inserting: 6.

Amend Sec. 9, page 6, line 19, by striking out "9" and inserting: 7.

Amend Sec. 10, page 7, line 4, by striking out "10" and inserting: 8.

Amend Sec. 11, page 7, line 12, by striking out "11" and inserting: 9.

Amend Sec. 12, page 7, line 14, by striking out "12" and inserting: 10.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. KESSLER.

BILLS OVER IN ORDER

HB 95—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

SB 196 (Pr. No. 1044)—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. SEYLER, by unanimous consent, offered the following amendment:

Amend Sec. 1 (Sec. 1166), page 3, line 8, by striking out: "WITHOUT PAY."

On the question,

Will the Senate agree to the amendment?

Mr. BERGER. Mr. President, it appears that the amendment offered to this bill simply restores what was previously amended out. I am sure, Mr. President, that, having approved the bill prior to the introduction of this amendment and having approved the prior amendments, it would be rather unusual if we would now approve the restoration of the amendment.

Consequently, Mr. President, I would ask my colleagues to vote "no" on the amendment.

Mr. SEYLER. Mr. President, may we be at ease for a moment?

The PRESIDENT. The Senate will be at ease for a moment.

(The Senate was at ease.)

And the question recurring,

Will the Senate agree to the amendment?

Mr. SEYLER. Mr. President, after consultation with other interested parties, I now wish to withdraw the amendment I offered, and ask that the bill go over in order.

The PRESIDENT. There being on objection, the bill will go over in its order on third reading.

BILL ON THIRD READING AND FINAL PASSAGE

HB 197 (Pr. No. 2473)—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—30

Bell,	Fleming,	Murray,	Seyler,
Camiel,	Haluska,	Pechan,	Silvert,
Confair,	Hays,	Ripp,	Stalsey,
Devlin,	Lane,	Rooney,	Stiefel,
DISilvestro,	Mahady,	Sarraf,	Wagner,
Donolow,	McGinnis,	Scott,	Weiner,
Ehrgood,	Miller,	Sesler,	Yatron,
Flack,	Mullin,		

NAYS—15

Berger,	Kessler,	Propert,	Wade,
Chapman,	Kromer,	Shafer,	Ware, III,
Hawbaker,	Madigan,	Stevenson,	Wolfe,
Keller,	Mallery,	Stroup,	

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

BILLS OVER IN ORDER

HB 257 and **SB 351**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

SB 353—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILL ON THIRD READING AND FINAL PASSAGE

SB 503 (Pr. No. 554)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kromer,	Propert,	Stroup,
Confair,	Lane,	Ripp,	Taylor,
Devlin,	Madigan,	Rooney,	Van Sant,
DISilvestro,	Mahady,	Sarraf,	Wade,
Donolow,	Mallery,	Scott,	Wagner,
Ehrgood,	McCreesh,	Sesler,	Ware, III,
Flack,	McGinnis,	Seyler,	Weiner,
Fleming,	McMenamin,	Shafer,	Wolfe,
Haluska,	Miller,	Silvert,	Yatron,
Hawbaker,			

NAYS—1

Kessler,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

SB 646—Without objection, the bill was passed over in its order at the request of Mr. HAYS.

SB 671—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILL ON THIRD READING AMENDED

SB 672 (Pr. No. 1087)—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. WEINER, by unanimous consent, offered the following amendments:

Amend Sec. 2, page 4, lines 1 and 2, by striking out "September 26 1951 (P L 1455)" and inserting: June 19 1961 (Act No. 240)

Amend Sec. 2 (Sec. 4), page 4, lines 3 and 4, by striking out "persons liable for expenses incurred for support and assistance (a) [the] except" and inserting: Persons Liable for Expenses Incurred for Support and Assistance (a) [The] Except

Amend Sec. 2 (Sec. 4), page 4, line 8, by inserting after "and" unemancipated

Amend Sec. 2 (Sec. 4), page 5, line 3, by inserting after "and" unemancipated

On the question,

Will the Senate agree to the amendments?

They were agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. WEINER.

BILLS OVER IN ORDER

SB 688 and **690**—Without objection, the bills were passed over in their order at the request of Mr. HAYS.

BILL ON THIRD READING, DEFEATED ON FINAL PASSAGE

SB 704 (Pr. No. 1072)—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred):

Mr. RIPP. Mr. President, having voted under a misapprehension, I wish to change my vote from "aye" to "no."

The PRESIDENT. The gentleman will be so recorded.

Mr. SILVERT. Mr. President, I desire to change by vote from "aye" to "no."

The PRESIDENT. The gentleman will be so recorded.

Mr. SARRAF. Mr. President, I also desire to change my vote from "aye" to "no."

The PRESIDENT. The gentleman will be so recorded.

Mr. LANE. Mr. President, I wish to change my vote from "aye" to "no."

The PRESIDENT. The gentleman will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—20

Camiel,	Hays,	Miller,	Seyler,
Devlin,	Mahady,	Mullin,	Stalsey,
DiSilvestro,	McCreesh,	Murray,	Stiefel,
Donolow,	McGinnis,	Rooney,	Weiner,
Haluska,	McMenamin,	Sesler,	Yatron,

NAYS—28

Bell,	Hawbaker,	Pechan,	Stevenson,
Berger,	Keller,	Propert,	Stroup,
Chapman,	Kessler,	Ripp,	Van Sant,
Confair,	Kromer,	Sarraff,	Wade,
Ehrgood,	Lane,	Scott,	Wagner,
Flack,	Madigan,	Shafer,	Ware, III,
Fleming,	Mallery,	Silvert,	Wolfe,

Less than a majority of all the Senators having voted "aye," the question was determined in the negative, and the bill was defeated.

BILLS OVER IN ORDER

SB 705, 706 and 707—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

BILL ON THIRD READING AND FINAL PASSAGE

SB 728 (Pr. No. 1076)—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraff,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

SB 811—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILLS ON THIRD READING AND FINAL PASSAGE

SB 823 (Pr. No. 1009)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraff,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SB 842 (Pr. No. 1042)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraff,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

SB 852—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILL ON THIRD READING AND FINAL PASSAGE

HB 943 (Pr. No. 1044)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarrafa,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

HB 1015 and 1023—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

BILL ON THIRD READING AND FINAL PASSAGE

HB 1174 (Pr. No. 2351)—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. PECHAN. Mr. President, having voted under a misapprehension, I desire to change my vote from "no" to "aye."

The PRESIDENT. The gentleman will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—31

Camiel,	Hays,	Murray,	Silvert,
Confair,	Lane,	Pechan,	Stalsey,
Devlin,	Mahady,	Ripp,	Stiefel,
DiSilvestro,	McCreesh,	Rooney,	Van Sant,
Donolow,	McGinnis,	Sarrafa,	Wagner,
Ehrgood,	McMenamin,	Scott,	Weiner,
Flack,	Miller,	Sesler,	Yatron,
Haluska,	Mullin,	Seyler,	

NAYS—17

Bell,	Keller,	Mallery,	Stroup,
Berger,	Kessler,	Propert,	Wade,
Chapman,	Kromer,	Shafer,	Ware, III,
Fleming,	Madigan,	Stevenson,	Wolfe,
Hawbaker,			

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILLS OVER IN ORDER

HB 1307—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

HB 1402, 1403 and 1414—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

BILLS ON THIRD READING AND FINAL PASSAGE

HB 1494 (Pr. No. 1842)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarrafa,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 1495 (Pr. No. 1843)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarrafa,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

HB 1515—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILL ON THIRD READING AMENDED

HB 1551 (Pr. No. 2172)—Read at length the third time, On the question,
Will the Senate agree to the bill on third reading?
Mr. WEINER, by unanimous consent, offered the following amendment:

Amend Sec. 4, page 6, line 20, by striking out "August 1 1961" and inserting: immediately

On the question,
Will the Senate agree to the amendment?
It was agreed to.
Without objection, the bill, as amended, was passed over in its order at the request of Mr. WEINER.

BILL ON THIRD READING AND FINAL PASSAGE

HB 1644 (Pr. No. 2358)—Read at length the third time and agreed to,

On the question,
Shall the bill pass finally?
The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup.
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarraf,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,	Staisey,	Donolow,
Hays,	Mullin,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SECOND READING CALENDAR

BILL ON SECOND READING

HB 107 (Pr. No. 1825)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

HB 161 and SB 375—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

SB 473—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILL RECOMMENDED

SB 536 (Pr. No. 949)—Upon motion of Mr. WEINER, seconded by Mr. LANE, and agreed to, the bill was re-committed to the Committee on Labor and Industry.

BILLS OVER IN ORDER

HB 573 and SB 598—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

SB 611 and 613—Without objection, the bills were passed over in their order at the request of Mr. HAYS.

HB 616—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

SB 644 and 692—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

BILL ON SECOND READING

SB 695 (Pr. No. 808)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

SB 741 and 758—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

SB 769, 791, 801 and 806—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

HB 826—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILL ON SECOND READING

SB 830 (Pr. No. 1026)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

HB 884 and 1075—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

BILL ON SECOND READING

HB 1083 (Pr. No. 2488)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

HB 1085—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILL ON SECOND READING AMENDED

HB 1098 (Pr. No. 2449)—The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WEINER offered the following amendments:

Amend Sec 1 (Sec. 603), page 2, line 4, by inserting after "(A)": (a)

Amend Sec. 1 (Sec. 603), page 5, by inserting between lines 11 and 12: (b) Nothing in subsection (a) of this section shall be construed as requiring agents of domestic mutual fire insurance companies which agents write only coverages other than insurance upon automobiles authorized by clauses (1) (2) and (3) of subsection (b) of section 202 of the act of May 17 1921 (P L 682) known as "The Insurance Company Law of 1921" to submit to examination prior to licensure by the insurance commissioner.

They were agreed to.

The section was agreed to as amended.

The second and third sections and title were read and agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. WEINER.

BILLS OVER IN ORDER

HB 1099 and 1101—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

BILL ON SECOND READING

HB 1105 (Pr. No. 1222)—Read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

HB 1163—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILL ON SECOND READING AMENDED

HB 1172 (Pr. No. 1319)—The first section was read.
On the question,
Will the Senate agree to the section?
Mr. WEINER offered the following amendments:

Amend Sec. 1, page 2, line 1 by striking out "eight" and inserting: four

Amend Bill, page 5, by inserting between lines 7 and 8:

Section 2. The act is amended by adding after Section 4, two new sections to read:

Section 4.1. The operation for profit within this Commonwealth of a personal care home without a license as herein required by this act is declared to be a nuisance per se.

Section 4.2 Any person who violates any provision of this act or any rule or regulation of the Department of Public Welfare pursuant thereto and upon conviction thereof in a summary proceeding shall be sentenced to pay a fine of not less than twenty-five dollars (\$25) nor more than three hundred dollars (\$300) and costs of prosecution and in default of the payment thereof to undergo imprisonment for not less than ten days nor more than thirty days.

Section 3. Sections 5 6 7 and 8 of the act are amended to read:

They were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. WEINER offered the following amendment:

Amend Sec. 2, page 8, line 7 by striking out "2" and inserting: 4

It was agreed to.

The section was agreed to as amended.

The third section was read.

On the question,

Will the Senate agree to the section?

Mr. WEINER offered the following amendment:

Amend Sec. 3, page 8, line 12 by striking out "3" and inserting: 5

It was agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. WEINER offered the following amendments:

Amend Title, page 1, next to last line of Title by striking out "and".

Amend Title, page 1, last line of Title by inserting after "licenses": declaring certain operation or maintenance to be a nuisance per se and prescribing additional penalties

They were agreed to.

The title was agreed to as amended.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. WEINER.

BILL ON SECOND READING

HB 1178 (Pr. No. 2474)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

HB 1190—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

HB 1206, 1207 and 1220—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

HB 1234—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILL ON SECOND READING

HB 1262 (Pr. No. 1458)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

HB 1263—Without objection, the bill was passed over in its order at the request of Mr. FLEMING.

HB 1335, 1440, 1476 and 1496—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

BILL ON SECOND READING

HB 1540 (Pr. No. 2164)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

HB 1588—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

HB 1616—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILLS ON SECOND READING AMENDED

HB 1666 (Pr. No. 2100)—The first section was read.
On the question,

Will the Senate agree to the section?

Mr. WEINER offered the following amendments:

Amend Sec. 1, page 2, line 1, by striking out "Section" where it appears the second time and inserting: Subsections (a) and (b) of section

Amend Sec. 1, page 2, lines 4 to 6, by striking out "is amended" in line 4, all of line 5 and "thereof is" in line 6 and inserting: are

Amend Sec. 1 (Sec. 29), page 3, line 1, by inserting brackets before and after "Registrars of Vital Statistics" and inserting immediately thereafter: Department of Health

Amend Sec. 1 (Sec. 29), page 3, line 6, by striking out all of said line.

Amend Sec. 1 (Sec. 29), page 3, line 7, by striking out "(a.1)" and inserting: (a) [The registrar of vital statistics of every city of the second class

city of the second class A city of the third class borough town and township shall report in writing at least weekly to the registration commission the deaths of residents of the city of the second class city of the second class A city of the third class borough town or township except residents less than twenty years of age Said written report shall contain the full name of the decedent his last residents address the date of his birth if available and the date of his death The commission shall forthwith cancel the registration of each registered elector so reported]

Amend Sec. 1 (Sec. 29), page 3, lines 9 and 10, by striking out "the Department of Health or any registrar of vital statistics" and inserting: [any registrar of vital statistics] the Department of Health

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. WEINER offered the following amendment:

Amend Title, page 2, next to last line of Title, by inserting after "alties": eliminating requirements that registrars of vital statistics make death reports and

It was agreed to.

The title was agreed to as amended.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. WEINER.

HB 1667 (Pr. No. 2101)—The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WEINER offered the following amendments:

Amend Sec. 1, page 2, line 1, by striking out "Section" where it appears the second time, and inserting: Subsections (a) and (b) of section

Amend Sec. 1, page 2, lines 2 and 3, by striking out "is amended by" in line 2, all of line 3, and inserting: are

Amend Sec. 1 (Sec. 31), page 2, line 5, by inserting brackets before and after "Registrars of Vital Statistics" and inserting immediately thereafter: Department of Health

Amend Sec. 1 (Sec. 31), page 2, line 9, page 3, line 1, by striking out " * * * (a.1)" and inserting: (a) [The registrar of vital statistics of every registration district containing constituted by or contained within any city shall report in writing at least weekly to the registration commission the deaths of residents of the city except residents less than twenty years of age Said written report shall contain the full name of the decedent his residence address the date of his birth if available and the date of his death The commission shall forthwith cancel the registration of each registered elector so reported.]

Amend Sec. 1 (Sec. 31), page 3, lines 3 and 4, by striking out "by the Department of Health or"

Amend Sec. 1 (Sec. 31), page 3, line 4, by inserting brackets before and after "any registrar of vital statistics" and inserting immediately thereafter: the Department of Health

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. WEINER offered the following amendment:

Amend Title, page 2, next to last line of Title,

by inserting after "penalties": eliminating requirements that registrars of vital statistics make death reports and

It was agreed to.

The title was agreed to as amended.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. WEINER.

BILL ON SECOND READING

HB 1668 (Pr. No. 2469)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

HB 1678, 1683 and 1704—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

REGULAR ORDER OF BUSINESS RESUMED

The PRESIDENT. Consideration of today's Calendar being completed, we will now revert to the regular order or business.

HOUSE MESSAGES

SENATE BILLS RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives being introduced, returned to the Senate, **SB 201, 312, 455, 472, 525 and 526**, with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bills, as amended, will be placed on the Calendar.

HOUSE CONCURS IN SENATE BILLS

He also returned to the Senate, **SB 180, 181, 197, 222, 295, 380, 419, 427, 428, 437, 446, 475, 479, 497, 533, 534, 535, 541, 552, 555 and 691**, with the information that the House has passed the same without amendments.

HOUSE INSISTS UPON ITS AMENDMENTS NONCONCURRED IN BY THE SENATE TO **SB 65**, AND.. APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists upon its amendments nonconcurrent in by the Senate to **SB 65**, and has appointed Messrs. FINEMAN, LIMPER, and DENNISON as a Committee of Conference to confer with a similar committee of the Senate (already appointed) to consider the differences existing between the two houses in relation to said bill.

HOUSE INSISTS UPON ITS AMENDMENTS NONCONCURRED IN BY THE SENATE TO **SB 88**, AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists upon its amendments nonconcurrent in by the Senate to **SB 88** and has appointed Messrs. CIOFFI, FLYNN, and TOMPKINS as a Committee of Conference to confer with a similar committee of the Senate (already appointed) to consider the differences existing between the two houses in relation to said bill.

HOUSE INSISTS UPON ITS AMENDMENTS NONCONCURRED IN BY THE SENATE TO **SB 99**, AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists upon its amendments nonconcurring in by the Senate to **SB 99** and has appointed Messrs. FINEMAN, LIMPER, and FETTEROLF as a Committee of Conference to confer with a similar committee of the Senate (already appointed) to consider the differences existing between the two houses in relation to said bill.

HOUSE INSISTS UPON ITS NONCONCURRENCE IN AMENDMENTS TO **HB 254**, AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists upon its nonconcurrence in Senate amendments to **HB 254**, and has appointed Messrs. CAPANO, SAKULSKY and BOWMAN as a Committee of Conference to confer with a similar committee of the Senate (already appointed) to consider the differences existing between the two houses in relation to said bill.

HOUSE INSISTS UPON ITS NONCONCURRENCE IN AMENDMENTS TO **HB 255**, AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists upon its concurrence in Senate amendments to **HB 255**, and has appointed Messrs. CAPANO, SAKULSKY and BOWMAN as a Committee of Conference to confer with a similar committee of the Senate (already appointed) to consider the differences existing between the two houses in relation to said bill.

HOUSE CONCURS IN SENATE AMENDMENTS TO HOUSE BILLS

He also informed the Senate that the House has concurred in amendments made by the Senate to **HB 345, 519, 722, 728, 1025, 1293 and 1595**.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence **HB 701**, which was referred to the Committee on Public Health and Welfare.

He also presented for concurrence **HB 761, 769, 799, 802, 805, 806, 1193, 1194, 1195, 1196, 1197, 1198 and 1199**, which were referred to the Committee on Appropriations.

He also presented for concurrence **HB 1422, 1611 and 1665**, which were referred to the Committee on Local Government.

He also presented for concurrence **HB 1487 and 1630**, which were referred to the Committee on Education.

He also presented for concurrence **HB 1604**, which was referred to the Committee on Finance.

He also presented for concurrence **HB 1652**, which was referred to the Committee on Rules.

He also presented for concurrence **HB 1741**, which was referred to the Committee on Labor and Industry.

BILLS SIGNED

The President (Lieutenant Governor John Morgan Davis) in the presence of the Senate signed the following bills: **SB 180, 181, 197, 222, 295, 380, 419, 427, 428, 437, 446, 475, 479, 497, 533, 534, 535, 541, 552, 555, 691, HB 754, 755, 1284, 1331 and 1533**.

COMMITTEES OF CONFERENCE APPOINTED ON **HB 853, 990 AND 1407**

The PRESIDENT. The Chair announces, on behalf of the President pro tempore, the appointment of Messrs. LANE, DEVLIN and STEVENSON as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (if the House shall appoint such committee) to consider the differences existing between the two houses in relation to **HB 83**.

The Chair also announces, on behalf of the President pro tempore, the appointment of Messrs. CAMIEL, HALUSKA and VAN SANT as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (if the House shall appoint such committee) to consider the differences existing between the two houses in relation to **HB 990**.

The Chair further announces, on behalf of the President pro tempore, the appointment of Messrs. MULLIN, MAHADY and SCOTT as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (if the House shall appoint such committee) to consider the differences existing between the two houses in relation to **HB 1407**.

Ordered, That the Clerk inform the House of Representatives accordingly.

PERMISSION TO ADDRESS SENATE

Mr. WADE asked and obtained unanimous consent to address the Senate.

Mr. WADE. Mr. President, the bill I am about to present, if enacted into law, would extend to the beneficiaries of present contributors to the State Retirement Fund the privilege of taking an option in the event of death of the contributor.

As we all know—and this is of particular interest I think to the Members of the Senate and employees—now the contributor has the privilege, if he lives to retire, of taking certain options. Under this bill, the beneficiaries of the contributors would have the same privilege of exercising an option. In other words, instead of being forced to take a single sum, they would have the privilege, for example, of taking a life income.

Mr. President, I am introducing this bill on behalf of Senator Probert, Senator Kessler and myself.

BILLS INTRODUCED AND REFERRED

Messrs. WADE, PROBERT and KESSLER, presented to the Chair **SB 861**, entitled:

An Act amending the act of June 1, 1959 (P. L. 392), entitled "State Employees' Retirement Code of 1959," permitting beneficiaries to elect an option in cases where a contributor who is entitled to a superannuation retirement allowance dies before electing an option.

Which was committed to the Committee on State Government.

Messrs. RIPP, DEVLIN, STASEY, FLEMING, SARRAF and McGINNIS presented to the Chair **SB 862**, entitled:

An Act amending the act of June 3, 1937 (P. L. 1333), entitled "Pennsylvania Election Code," authorizing and providing procedures whereby certain qualified registered electors absent from or unable to attend their regular polling places may cast their votes; authorizing and providing procedures for the absentee voting by certain per-

sonnel of the Federal Government and of this Commonwealth including their spouses and dependents in the event they are qualified registered electors; imposing additional duties upon the Secretary of the Commonwealth, various county boards of elections and election officers, courts, various registration commissions, chairmen of political parties or committees, and officers and employees of certain political subdivisions; further regulating the procedures for the voting of qualified electors serving in the armed forces of the United States and certain qualified bedridden or hospitalized veterans; authorizing and providing assistance in voting for certain absentee voters; further regulating the dates for furnishing information as to offices to be filled, for filing and circulating nomination petitions and nomination papers; further regulating the time within which writs of election may issue for holding special elections to fill vacancies occurring in the offices of United States Senators Representatives in Congress Representatives in either House of the General Assembly councils or legislative bodies of cities boroughs towns and townships and further regulating the dates for filing nomination certificates withdrawals of nominated candidates vacancies for failure to pay filing fees or for failure to file loyalty oaths, substituted nomination certificates and further regulating the date for certification of nominees by the Secretary of the Commonwealth, and providing penalties.

Which was committed to the Committee on Elections.
Mr. KROMER presented to the Chair **SB 863**, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," removing provisions requiring counties to pay tuition charges for certain nonresident children who are inmates of children's institutions or who have been placed in private homes.

Which was committed to the Committee on Education.

Messrs. MAHADY and STAISEY presented to the Chair **SB 864**, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," increasing the membership of the Pennsylvania Fish Commission and further providing for the selection of members of said commission.

Which was committed to the Committee on Forests and Waters, Game and Fish.

Mr. KELLER presented to the Chair **SB 865**, entitled:

An Act authorizing the adoption of an alternative system for the government and management of county prisons and other county penal institutions in counties of the third class; providing for the appointment of county prison boards in such counties, and prescribing their powers and duties.

Which was committed to the Committee on Local Government.

Messrs. WARE and PROPERT presented to the Chair **SB 866**, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Department of Forests and Waters, to lease land in Valley Forge State Park to the United States Post Office Department for the purpose of the construction and operation of a post office.

Which was committed to the Committee on Forests and Waters, Game and Fish.

PERMISSION TO ADDRESS SENATE

Mr. HAYS asked and obtained unanimous consent to address the Senate.

Mr. HAYS. Mr. President, the bill which I am about to

introduce is one calling for school district reorganization and grows out of the work of the Joint Select Committee on Education to study the Report of the Governor's Committee on Education.

It is the intention of the Select Committee on Education that this new bill will replace Senate Bill No. 676 and that no further consideration will be given by the Committee to that bill, which is a bill on school district reorganization. Instead, the bill which I am now introducing will be given the attention of the Committee.

This bill is co-sponsored by Senators Wagner, Shafer, Stroup and Silvert, and I request that it be referred to the Select Committee on Education.

BILL INTRODUCED AND REFERRED

Messrs. HAYS, WAGNER, SILVERT, STROUP and SHAFER, presented to the Chair **SB 867**, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," further classifying school districts and providing for the reorganization of school districts.

Which was committed to the Select Committee on Education.

PERMISSION TO ADDRESS SENATE

Mr. PECHAN asked and obtained unanimous consent to address the Senate.

Mr. PECHAN. Mr. President, back in 1955, the General Assembly enacted certain legislation which allowed the Curtiss-Wright Corporation to lease some 50,000 acres of land. This land was situated in Cameron County, Elk County, and I think some in Centre County. We gave them an option for ninety-nine years to lease some 42,000 acres at a rental of \$30,000 a year, if I remember correctly. We also sold them outright, with the mineral rights included, some 8,500 acres at a cost of \$22.50 per acre.

Many of us were reluctant at that time to sell this land because many of the people and families had occupied that land for some 100 years. Sportsmen had hunting and fishing camps and summer homes up there. However, we were made to believe that if we sold this land to the Curtiss-Wright Corporation, we would have some 10,000 additional jobs in Pennsylvania.

If you recall, in 1955 things were not too rosy and 10,000 new jobs certainly were welcome. However, since that time, a strange turn of events has taken place. Back in 1959, I heard rumors from people who lived in that area that the land was not being used for the purposes which Curtiss-Wright intended. Incidentally, they told us they were going to use the land for research on jet planes and one of the reasons why they wanted to go into this mountainous area of Pennsylvania was so they would be removed from populated areas because in California and Chicago, where they had testing plants, the people were complaining about the tremendous noise and that they could not sleep at night. They gave us to understand that unless we sold them this land, they would go to the State of Nevada or the State of Utah and, of course, as I said, we were reluctant to not take advantage of a new industry and one which promised to employ 8,000 to 10,000 people.

Back in 1959, as I said a moment ago, I wanted an investigation of what actually was going on, but I was

given a padded employment list, showing they were employing some 1,000 people. I did not want to jeopardize 1,000 jobs nor even five jobs and so I let it go. I did learn that instead of building airplanes, they were making foam rubber sponges and the like.

We were also told that one of the reasons why they wanted to go into that area was because of Penn State University, which had a fine nucleus of engineers and they wanted to train them in that field. Penn State University was closely situated and would be an ideal spot for these young engineers. Consequently, they employed some and a great many of them believed in what was going to happen and they built very fine homes, and a great many of them were mortgaged to the hilt. When they found the corporation was cutting back, many had to abandon those homes and when they did that, they took a tremendous loss.

Of course, another thing they did was that they built some seven miles of road up there which cost the Commonwealth and the Federal Government over \$1,600,000. This road used to be just a black top, winding road and now it is a very fine two-lane highway.

Another thing which made me suspicious was this: A company as large as Curtiss-Wright came to the Legislature, as you all recall, and asked the Legislature to give them \$150,000 for research on the composition of an asphalt base to be used for road-building. Now to have a company with assets as large as Curtiss-Wright coming to the Legislature for a sum as small as \$150,000, for some reason or another, indicated that something just was not as it should be. As I understand it, however, the Administration never did release the money for that research.

Therefore, on behalf of Senator Kromer and myself, I would like to read this resolution and then I would like to have the Chair place the resolution in the appropriate committee.

Mr. WEINER. Mr. President, may we be at ease for just a moment?

The PRESIDENT. The Senate will be at ease.

(The Senate was at ease.)

Mr. PECHAN. Mr. President, the resolution reads as follows:

"SENATE RESOLUTION (Serial No. 86)

"In the Senate, July 17, 1961.

"SENATE COMMITTEE TO INVESTIGATE THE SALE OF LANDS TO CURTISS-WRIGHT CORPORATION, AUTHORIZED BY THE ACT OF JUNE 3, 1955

"In the year 1955, the General Assembly of Pennsylvania authorized the sale of valuable forest lands at a price substantially below actual value. The sale was ultimately consummated.

"At the time of the sale, it was not believed that the Commonwealth had made a bad bargain. The "Cold War" situation was grave. Unemployment in Pennsylvania was great, industry generally was operating at less than normal capacity, and some industries, particularly coal, were operating at a small fraction of normal capacity.

"The purchaser of this land, Curtiss-Wright Corporation, intended to use it for "the purpose of testing (including flight-testing), experimenting with, or the manufacturing of aircraft and other power plants of any type, and for other scientific purposes, relating to research and development, or the manufacture and sale of any

type of equipment or product, primarily in the interest of National Defense."

"Considering the good purposes of the sale—national defense and the securing of jobs for Pennsylvanians—it was believed the Commonwealth had made a good bargain. The money loss to the people of Pennsylvania, and the loss of hunting, fishing and recreation grounds to Pennsylvania sportsmen and vacationers was small indeed in light of the benefits to be gained.

"Some years have passed and as far as is known, except for a brief period when foam rubber was manufactured, this land has been used solely as hunting, fishing and vacation grounds for officers, employees and guests of Curtiss-Wright Corporation.

"No plants or facilities have been constructed,"—if I may make a correction there, no plants or facilities have been constructed on their own ground. However, there have been some facilities constructed on the leased properties.

I will now continue with the reading of the resolution as follows:

"No plants or facilities have been constructed, no jobs created, and national defense has not been advanced through the use of these lands. If this situation is to continue, then the people of Pennsylvania have been the victim of a bad faith amounting to fraud. In such a case, the lands rightfully belong to the people and should be devoted to some public use; therefore be it

"Resolved, That the President pro tempore of the Senate appoint five Members of the Senate who shall constitute a committee to investigate into the sale of the lands authorized by the Act of June 3, 1955 (P. L. 140), and to determine whether or not any real plans exist for devoting these lands to the uses specified in the Act authorizing the sale, what if any actions have been taken to implement such plans, the truth or falsity of the charges that the lands have been used for private recreation grounds, and any other matter relating to the transaction; and be it further

"Resolved, That the committee inquire into and study the advisability of reclaiming this land through the exercise of eminent domain; and be it further

"Resolved, That the committee may hold hearings, take testimony and make its investigations at such places as it shall deem necessary within this Commonwealth. It may issue subpoenas under the hand and seal of its chairman, commanding any person to appear before it and to answer questions touching matters properly being inquired into by the committee, and to produce such books, papers, records and documents as the committee deems necessary. Any person who wilfully neglects or refuses to testify before the committee or to produce any books, papers, records or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases. Each member of the committee shall have power to administer oaths and affirmations to witnesses appearing before the committee; and be it further

"Resolved, That the committee make a report of its findings and recommendations for appropriate action to this body as soon as possible."

Mr. WEINER. Mr. President, I would like to at least have equal time to discuss this resolution, although I realize it is not proper to comment on a resolution.

I would like to make just one brief statement, however, in regard to this resolution. Perhaps there is a fact which Senator Pechan is not aware of and I would like to bring

it to his attention. As a matter of fact, today, in the Governor's Office, there is a meeting on this very situation.

I think we were all present and voted on this matter when it came before us. I wonder if Senator Pechan is implying there was bad faith on the part of Curtiss-Wright. One of the reasons why I wanted the gentleman to read his resolution was in order for me to understand it. The resolution seems to be ambiguous and it does not tell just on whose part the bad faith existed or, even at this point, exists. If that is what the gentleman is saying, I think it would be very simple for us to summon the executives of this corporation and bring them in here to Pennsylvania to appear before whatever committee this resolution goes to, get an answer to that, and then we can proceed from that point on.

I would advise this procedure rather than to assemble a committee to investigate and come to these same conclusions, which is costly and time consuming. If that is what he is implying, I think we can do that rather quickly through the regular committee to which this resolution is referred.

The PRESIDENT. The resolution is referred to the Committee on Rules.

SENATE CONCURRENT RESOLUTION LAID ON THE TABLE

RECALLING FROM THE GOVERNOR SB 114

Mr. WEINER offered the following resolution which was read as follows:

In the Senate, July 17, 1961.

Resolved (if the House of Representatives concur), That Senate Bill No. 114, Printer's No. 894, entitled "An act re-enacting and amending Section 13 and Article VII of Chapter II of the Act of December 15, 1959 (P. L. 1779), entitled 'An act relating to fish and amending, revising, consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth,' removing the requirement that fishermen be licensed in order to fish in certain regulated fishing lakes, further regulating the issuance of permits or bills of sale for fish caught in such lakes changing penalties relating to such lakes and harmonizing language of existing law," be recalled from the Governor for the purpose of amendment.

On the question,

Will the Senate adopt the resolution?

Mr. BERGER. Mr. President, I would like to request that this resolution be laid on the table.

The PRESIDENT. There being no objection, the resolution will be laid on the table.

BILL INTRODUCED AND REFERRED

Messrs. SEYLER and HAYS, by unanimous consent, presented to the Chair SB 868, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," making certain additional persons eligible for sabbatical leave.

Which was committed to the Committee on Education.

ANNOUNCEMENTS BY THE SECRETARY

The following announcements were read by the Secretary of the Senate:

COMMITTEE MEETINGS

TUESDAY, JULY 18, 1961

Eastern Daylight

Saving Time	Committee	Room
9:00 A.M.	Joint Select Committee on Education	245
10:30 A.M.	Rules	540
11:00 A.M.	Agriculture	539

NOTICE

TUESDAY, JULY 18, 1961

The Committee on Local Government will continue its hearing on House Bills 1221 and 1438 at 10:00 a.m., Daylight Saving Time, on Tuesday, July 18, 1961 in the Senate Democratic Caucus Room.

WEDNESDAY, JULY 19, 1961

The Committee on State Government will hold a hearing on House Bill 1162 at 11:00 a.m., Daylight Saving Time, on Wednesday, July 19, 1961 in Room 535.

ADJOURNMENT

Mr. WEINER. Mr. President, I move that the Senate do now adjourn until Tuesday, July 18, 1961, at 12:00 m., Eastern Standard Time.

Mr. HAYS. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:00 p.m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

MONDAY, July 17, 1961.

The House met at 2 p.m., e.s.t.

The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

O God of all power, in the anxiety of life and the perplexing situations which face us, we come to Thee in the awareness of a need beyond ourselves; we know that too often we are so concerned about the affairs of this life and the worries which surround us that we lose sight of the real value which Thou hast to bestow in the life which is to come. Omnipotent One, we pray that the truths of Thy Word may become our constant guide, and we may come to know the real import of the words of Thy servant: "The fear of the Lord is the beginning of wisdom." And enable us as we reverence and respect Thy name to use Thy power for the upbuilding of Thy kingdom in the hearts and minds of all mankind; through Christ, our Lord. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Thursday, July 13, 1961, will be postponed until printed.

The Chair hears none.

RESOLUTION

COMMENDATION

Mr. HELM. Mr. Speaker, we have in our midst a man, who, I think, lends a lot of leadership to this House by his words of wisdom and his spiritual leadership as well, a man whom I think is given too little credit for the fine job he does. And with that slight background, Mr. Speaker, I would like to present a resolution at this time and ask for its immediate consideration.

The resolution was read by the chief clerk as follows:

In the House of Representatives, July 17, 1961.

The House of Representatives of the Commonwealth of Pennsylvania takes this method of thanking and commending Rev. David R. Hoover, Chaplain of this legislative body.

His leadership not only in a spiritual sense but also as an advisor and conferee in the many problems confronting the members of this body, has endeared him to its members. His prayers and attendance at all funerals of members have been of invaluable service and guidance to all of us.

The fact that this session is his second successive term as Chaplain speaks louder than any words which we may utter or write as to the esteem with which we hold Rev. Hoover.

In McConnellsburg and throughout Fulton County, Rev. Hoover is not only respected as an outstanding spiritual leader, but one of the foremost civic leaders as well.

He resides in McConnellsburg with his wife Mary and three children. He is minister of the Lutheran Church in McConnellsburg; therefore be it

Resolved, That Rev. David R. Hoover be hereby commended on his outstanding leadership spiritually and civilly; and be it further

Resolved, That a copy of this resolution be presented to Rev. David R. Hoover.

s/Harry M. Elvey
Hiram G. Andrews
W. Stuart Helm
Blaine C. Hocker

On the question,

Will the House adopt the resolution?

It was unanimously adopted by a rising vote.

PRESENTATION OF RESOLUTION

The SPEAKER. Members of the House, we admire this man because of his gentle strength; his gentle courage. He does not require a robe to make him minister to someone in kindly sympathy with our goings and comings, our misfortunes. He is a man like us, like the rest of us a manly man, and he has one unique gift, he combines piety with a lively sense of humor.

So, sir, it gives me great pleasure to present to you this resolution with the great gilt seal of the Commonwealth upon it.

The CHAPLAIN (Reverend David R. Hoover). I think usually when the Speaker calls the House to order and asks if Dr. Dengler will sing "Happy Birthday," in all probability the member, whose birthday is being feted that day, is well aware that he is going to be asked to say a few words. But there are times when many of these things come as a surprise, so we are not prepared for what is about to take place. That is the way I feel at this time.

But I stand before you in deepest humility, with the realization that anything that I have done, or anything that I may be privileged to do, I do for the honor and glory of the office to which I have been asked to serve and the privilege of working with some of the finest individuals I have ever come to know.

Thank you.

COMMUNICATIONS FROM GOVERNOR

The secretary to the Governor being introduced, presented communications in writing from His Excellency the Governor, which were read as follows:

APPROVAL OF HOUSE BILLS Nos. 428, 530, 739, 742, 743, 929, 932, 973, 974, 979, 980, 1077, 1169, 1212, 1213, 1308, 1327, 1344, 1346, 1347, 1350, 1390, 1396, 1447, 1460, 1468, 1542, and 1545.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg.
July 14, 1961.

To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 428, printer's No. 2304, entitled "An Act amending the act of April 29, 1959 (P. L. 58), entitled 'The Vehicle Code' redefining Motorcycle limiting the use of the transcript and the record of a suspension hearing providing for the designation of inspection stations for trucks and truck tractors permitting the private vehicle of the chief and the first assistant chief of police and the first assistant chief of any fire department AND IN CERTAIN CASES THE SECOND ASSISTANT CHIEF to be equipped with a siren prohibiting parking in certain additional places and prescribing penalties."

DAVID L. LAWRENCE.

July 14, 1961.

To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 530, printer's No. 2342, entitled "An Act amending the act of July 28, 1953 (P. L. 723), entitled 'Second Class County Code' authorizing the adoption of rules and regulations concerning inflammable or combustible substances certain fire hazards fire preventive equipment reports of fires and explosions authorizing permits to be required and fixing penalties."

DAVID L. LAWRENCE.

July 14, 1961.

To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 739, printer's No. 2160, entitled "An Act relating to apprenticeship and training creating a State Apprenticeship and Training Council in the Department of Labor and Industry to formulate an apprenticeship and training policy and program and defining its powers and duties and providing for administration."

DAVID L. LAWRENCE.

July 14, 1961.

To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 742, printer's No. 815, entitled "An Act amending the act of April 3, 1860 (P. L. 630), entitled 'An act relative to Proceedings upon Mortgages and Recognizances' excluding counties of the first class from the provisions of the act."

DAVID L. LAWRENCE.

July 14, 1961.

To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 743, printer's No. 816, entitled "An Act amending the act of April 25, 1850 (P. L. 569), entitled 'An act relating to the bail of executrixes to partition in the orphans' court and common pleas to colored convicts in Philadelphia to the limitation of actions against corporations to actions enforcing the payment of ground rent to trustees of married women to appeals from awards of arbitrators by corporations to hawkers and peddlers in the counties of Butler and Union to the payment of costs in actions by informers in certain cases to taxing lands situate in different townships and in relation to fees of county treasurers of Lycoming Clinton and Schuylkill to provide for recording the accounts of executors administrators guardians and auditors' reports and to amend and alter existing laws relative to the administration of justice in this commonwealth' excluding prothonotaries in counties of the first class from the provisions relating to the recording of certain accounts."

DAVID L. LAWRENCE.

July 14, 1961.

To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 929, printer's No. 1745, entitled "An Act amending the act of April 9, 1929 (P. L. 177), entitled 'The Administrative Code of 1929' deleting certain limitations with respect to aids and services to the blind."

DAVID L. LAWRENCE.

July 14, 1961.

To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day

approved and signed House bill No. 932, printer's No. 2068, entitled "An Act amending the act of March 10, 1949 (P. L. 30), entitled 'Public School Code of 1949' providing for voting for mergers where some of the districts are already merged."

DAVID L. LAWRENCE.

July 14, 1961.

To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 973, printer's No. 1074, entitled "An Act amending the act of August 24, 1951 (P. L. 1405), entitled 'Estate Tax Apportionment Act of 1951' authorizing the court to assess certain expenses against non-testamentary property or interests."

DAVID L. LAWRENCE.

July 14, 1961.

To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 974, printer's No. 1364, entitled "An Act amending the act of August 10, 1951 (P. L. 1163), entitled as amended 'Orphans' Court Act of 1951' clarifying provisions relating to verdicts."

DAVID L. LAWRENCE.

July 14, 1961.

To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 979, printer's No. 1080, entitled "An Act amending the act of February 28, 1956 (P. L. 1154), entitled as amended 'Incompetents' Estates Act of 1955' including the person of an incompetent within the provisions of the act and providing for appointment of a coguardian or succeeding guardian."

DAVID L. LAWRENCE.

July 14, 1961.

To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 980, printer's No. 2186, entitled "An Act relating to the payment of wages or compensation for labor or services providing for regular pay days conferring powers and duties upon the Department of Labor and Industry including powers and duties with respect to the civil collection of wages providing civil and criminal penalties for violations of the act providing for their collection and disposition and providing for additional civil damages."

DAVID L. LAWRENCE.

July 14, 1961.

To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 1077, printer's No. 2236, entitled "An Act amending the act of June 12, 1951 (P. L. 533), entitled 'The Mental Health Act of 1951' authorizing superintendents to exercise discretion by and with the advice of certain other physicians or surgeons with respect to the performance of surgery on certain patients."

DAVID L. LAWRENCE.

July 14, 1961.

To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 1169, printer's No. 2257, entitled "An Act amending the act of May 29, 1956 (P. L. 1803), entitled 'An act providing for the establish-

ment of forestry conservation camps by the Department of Forests and Waters for the development and conservation of the forests of this Commonwealth and for the rehabilitation and training of male youth giving additional powers to the Department of Welfare and making an appropriation further regulating the acceptance and transfer of campers and providing for the payment by counties of a part of the operating expenses."

DAVID L. LAWRENCE.

July 14, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 1212, printer's No. 1385, entitled "An Act amending the act of July 5, 1917 (P. L. 693), entitled 'An act authorizing and empowering the several counties of this Commonwealth to establish and maintain schools for the care and education of children under the jurisdiction of the courts of quarter sessions of the peace or other courts sitting as juvenile courts and to acquire land therefor by purchase or by condemnation defining the scope and character of such schools regulating the proceedings for the establishment maintenance and management thereof authorizing the county commissioners to make appropriation levy taxes and to incur indebtedness therefor and providing that all such schools heretofore established by any county shall be continued and maintained under the authority of this act removing the persons in charge thereof and providing that any property heretofore acquired for any such schools shall be held and used for the schools provided for in this act' providing for the transfer of schools to the Commonwealth of Pennsylvania and authorizing operation of schools to be terminated."

DAVID L. LAWRENCE.

July 14, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 1213, printer's No. 1386, entitled "An Act amending the act of January 7, 1952 (P. L. 1841), entitled 'Minor Judiciary Fee Bill' fixing a fee for issuing search warrants."

DAVID L. LAWRENCE.

July 14, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 1308, printer's No. 1524, entitled "An Act amending the act of December 15, 1959 (P. L. 1779), entitled 'The Fish Law of 1959' requiring the fishing license to be displayed on an outer garment while fishing."

DAVID L. LAWRENCE.

July 14, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 1327, printer's No. 1547, entitled "An Act amending the act of June 3, 1937 (P. L. 1225), entitled 'The Game Law' changing the expiration date of permits issued by the commission."

DAVID L. LAWRENCE.

July 14, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 1344, printer's No. 2217, entitled "An Act amending the act of June 3, 1937 (P. L. 1333), entitled 'Pennsylvania Election Code' regu-

lating the furnishing of public property for use as polling places."

DAVID L. LAWRENCE.

July 14, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 1346, printer's No. 1592, entitled "An Act amending the act of June 3, 1937 (P. L. 1333), entitled 'Pennsylvania Election Code' further regulating procedures with respect to general return sheets and tally papers."

DAVID L. LAWRENCE.

July 14, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 1347, printer's No. 1593, entitled "An Act amending the act of June 3, 1937 (P. L. 1333), entitled 'Pennsylvania Election Code' further regulating the advertising of election proclamations and providing for advertising of a primary election proclamation in counties of the second class."

DAVID L. LAWRENCE.

July 14, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 1350, printer's No. 1596, entitled "An Act amending the act of June 3, 1937 (P. L. 1333), entitled 'Pennsylvania Election Code' further regulating the preservation of records."

DAVID L. LAWRENCE.

July 14, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 1390, printer's No. 1656, entitled "An Act amending the act of June 24, 1931 (P. L. 1206), entitled 'The First Class Township Code' increasing the expense allowance for delegates to meetings of the State associations of township officers."

DAVID L. LAWRENCE.

July 14, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 1396, printer's No. 1662, entitled "An Act amending the act of May 4, 1937 (P. L. 519), entitled 'The Borough Code' increasing the expense allowance for delegates to meetings of the State Association of Boroughs."

DAVID L. LAWRENCE.

July 14, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 1447, printer's No. 2170, entitled "An Act amending the act of July 2, 1935 (P. L. 589), entitled as amended 'An act to safeguard human health and life by providing for the issuance of permits to and regulation of persons and entities selling milk and milk products conferring powers and imposing duties on the Secretary of Agriculture and otherwise providing for the administration of the act and imposing penalties' further providing for the tuberculosis and brucellosis RING tests to be given to cows."

DAVID L. LAWRENCE.

July 14, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 1460, printer's No. 1924, entitled "An Act authorizing the judge of the court of common pleas of any county of the third fourth fifth sixth seventh or eighth class to direct that recorded maps plats or plans be reproduced requiring the recorder of deeds to preserve originals of maps plats or plans so reproduced and providing for payment of costs by the county."

DAVID L. LAWRENCE.

July 14, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 1468, printer's No. 1801, entitled "An Act amending the act of April 9, 1929 (P. L. 177), entitled 'The Administrative Code of 1929' enlarging the Coal Research Board's sphere of study and research."

DAVID L. LAWRENCE.

July 14, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 1542, printer's No. 1925, entitled "An Act authorizing the Department of property and Supplies with the approval of the Governor to sell and convey 1,565 acres more or less of land situate in Smithfield Township Huntingdon County."

DAVID L. LAWRENCE.

July 14, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 1545, printer's No. 1928, entitled "An Act authorizing the transfer of real property in the City of Scranton Lackawanna County from the Department of Highways to the Department of Public Welfare for use of Clarks Summit State Hospital."

DAVID L. LAWRENCE.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. POLEN asked and obtained permission for the Committee on Appropriations to meet during the session of the House.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1831, entitled:

An Act increasing the number of courts of common pleas in the County of Philadelphia establishing therein a distinct and separate court of common pleas designated court of common pleas number eight and providing for the appointment and election of judges for the court.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMENDED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 730, entitled:

An Act amending the act of June 1, 1956 (P. L. 1959), entitled "An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court the President Judge and judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court and Juvenile Court of Allegheny County certain associate judges not learned in the law certain state officers and the salary and expenses of the members of the General Assembly and repealing certain inconsistent acts," increasing the salaries of judges of courts of common pleas orphans' courts County Court and Juvenile Court of Allegheny County and Municipal Court of Philadelphia.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMENDED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

LEAVES OF ABSENCE

By unanimous consent leaves of absence were granted as follows:

Mr. Dougherty for Mr. BOIES for today.

Mr. Dougherty for Mr. TAYLOR for today.

Mr. Dougherty for Mr. J. A. SULLIVAN for today.

Mr. Dougherty for Mr. MIHM for the week.

Mr. Tompkins for Mr. BOWMAN for today.

Mr. Tompkins for Mr. STRAUSSER for today.

Mr. McCANN. Mr. Speaker, may I have permission to turn to page 4, bills on final passage, House bill 1810, so that the amendments that have been agreed to may be printed?

Mr. Speaker, I call up bills on final passage, House bill No. 1810.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1810, entitled:

An Act amending the act of June 19, 1911 (P. L. 1055), entitled "An act authorizing the release on probation of certain convicts instead of imposing sentences * * *" by further regulating the manner of sentencing of convicts and providing for their rehabilitation and release in certain cases.

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. McCANN asked unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the clerk for information.

Amend Section 1 (Section 6), page 4, line 13, by inserting after "robbery" burglary murder voluntary manslaughter

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to,

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

COMMUNICATIONS FROM GOVERNOR

The secretary to the Governor being introduced, presented communications in writing from His Excellency the Governor, which were read as follows:

APPROVAL OF HOUSE BILLS Nos. 430 AND 1222.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg.

July 17, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 430, printer's No. 2146, entitled "An act declaring the policy of the Commonwealth with regard to discriminatory practices in educational institutions based upon race religion color ancestry or national origin prohibiting such discriminatory practices providing for procedure and enforcement providing for judicial review providing for administration by the Pennsylvania human relations commission in the Department of Labor and Industry and defining its functions powers and duties hereunder."

DAVID L. LAWRENCE

July 17, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 1222, printer's No. 2060, entitled "An Act relating to bituminous coal mines amending revising consolidating and changing the laws relating thereto providing for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith prescribing powers and duties in connection therewith prescribing penalties and repealing existing laws."

DAVID L. LAWRENCE

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 589, entitled:

An Act amending the act of May 22, 1933 (P. L. 912), entitled "Bakery Law," changing certain definitions further regulating marking and labeling conferring additional powers and duties on the Department of Agriculture and further regulating the sale and importation of bakery products.

On the question,

Will the House agree to the bill on third reading?

Mr. McCANN asked unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the clerk for information.

Amend Sec. 1 (Sec. 3), page 5, line 11, by striking out "unused wrappers bags boxes cans or other suitable sanitary" and inserting: sanitary wrappers, bags, liners, boxes, caddies, cans or other suitable

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

REPORTS FROM COMMITTEE

Mr. WILLAREDT from the Committee on Appropriations, reported as amended, House bill No. 1177, entitled:

An Act making an appropriation to the Department of Public Welfare for certain training courses at John J. Kane Hospital and other institutions.

Mr. WILLAREDT from the Committee on Appropriations, reported as amended, House bill No. 1768, entitled:

An Act amending the act of January 5, 1952 (P. L. 1833), entitled as amended, "An act to provide for the coverage of certain officers and employees of the Commonwealth and its political subdivisions under the old-age and survivor insurance provisions of Title 11 of the Federal Social Security Act, as amended; * * *," removing the limitation on retirement benefits.

Mr. WILLAREDT from the Committee on Appropriations, re-reported as committed, Senate bill No. 76, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929" increasing the maximum number of officers and men in the aggregate in the Pennsylvania State Police and making editorial changes.

Mr. WILLAREDT from the Committee on Appropriations, re-reported as committed, Senate bill No. 527, entitled:

An Act amending the act of October 27, 1955 (P. L. 744), entitled as amended "Pennsylvania Human Relations Act" increasing the membership of the commission and changing quorum provisions.

Mr. WILLAREDT from the Committee on Appropriations, re-reported as amended, House bill No. 1319, entitled:

An Act amending the "Public Assistance Law" approved June 24, 1937 (P. L. 2051), defining "resident" and prescribing certain benefits for nonresident indigents and changing eligibility requirements.

Mr. WILLAREDT from the Committee on Appropriations, re-reported as committed, House bill No. 1001, entitled:

An Act amending "The Realty Transfer Tax Act" approved December 27, 1951 (P. L. 1742), redefining docu-

ments so as to exclude certain transfers from industrial development agencies.

Mr. WILLAREDT from the Committee on Appropriations, re-reported as committed, Senate bill No. 746, entitled:

An Act to regulate the sale and distribution for agricultural purposes of ground limestone burned and hydrated lime gypsum slag and related products in the Commonwealth of Pennsylvania conferring powers and imposing duties on the Department of Agriculture establishing fees making an appropriation and prescribing penalties.

BILL RE-REFERRED

Mr. POLEN from the Committee on Appropriations, returned with the recommendation that it be re-referred to the Committee on Welfare, House bill No. 1803, entitled:

An Act relating to charitable organizations requiring the registration of such organizations and regulating the solicitation of moneys and property by or on behalf of charitable organizations.

The SPEAKER. The bill is re-referred to the Committee on Welfare.

BIRTHDAY GREETINGS

The SPEAKER. Today is the birthday of the gentleman from Montgomery, Mr. Willaredt.

Mr. DENGLE. Mr. Speaker, let us all sing "Happy birthday, dear Herman."

The SPEAKER. The Chair recognizes the gentleman from Montgomery, Mr. Willaredt.

Mr. WILLAREDT. Mr. Speaker, this is my first speech of this session. Today I am 69 years old and, like you, I don't look it; but in my life I have been a very busy man, as you can see from having five children, fifteen living grandchildren and seven great grandchildren at the present time, with the eighth almost here. So while I have been away from home a great deal I have certainly not been amiss when I was home.

Thank you very much. It is a pleasure to be here.

SUBSTITUTE CONFEREE ON SENATE BILL NO. 65

The SPEAKER. The Chair recognizes the gentleman from McKean, the minority leader, Mr. Johnson. He has something to say about Senate bill 65.

Mr. A. W. JOHNSON. Mr. Speaker, I would like to request that in place of the name of Mr. Dennison as conferee on Senate bill No. 65 there be substituted the name of Representative Enos Horst.

The SPEAKER. The Chair hears no objection. It is so ordered.

BILL INTRODUCED AND REFERRED

Mr. SAKULSKY, Mrs. REIBMAN, Messrs. BUCHANAN and ESLER. HOUSE BILL No. 1837.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for summer schools.

Referred to the Committee on Education.

RESOLUTION INTRODUCED AND REFERRED

By Mr. BLAIR. (Concurrent) RESOLUTION No. 92.

In the House of Representatives, July 17, 1961.

Resolved (the Senate concurring), That the Joint State Government Commission be directed to study and investigate:

(1) The duties of jury commissioners;

(2) The method and manner of choosing jurors for grand and petit jurors; and, be it further

Resolved, That the Joint State Government Commission report to the 1963 regular session of the General Assembly its findings and recommendations with drafts of legislation necessary to carry the recommendations into effect.

Referred to the Committee on Rules.

BILLS ON FINAL PASSAGE RECALLED FROM THE GOVERNOR

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 828, entitled:

An Act amending "The Military Code of 1949" approved May 27, 1949, changing the measure of relief for disability or death of personnel on active duty.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—187

Anderson, J. H.,	Gibb,	Leonard,	Rovansek,
Anderson, S. A.,	Gibbons,	Limper,	Royer,
Arlene,	Goldstein, J. H.,	Lippincott,	Rubin,
Ashton,	Goldstein, M. H.,	Long, Wm. Jos.,	Rudisill,
Auker,	Goodrich,	Lutty,	Rutherford,
Bachman,	Gramlich,	Magee,	Sakulsky,
Backenstoe,	Gray,	Manbeck,	Scarcelli,
Blair,	Greenlee,	Markley,	Schaaf,
Bonner,	Gremminger,	Marsh,	Schuster,
Bossert,	Gross,	Maxwell,	Shelton,
Bower,	Guesman,	May,	Sherman,
Branca,	Guthrie,	McCandless,	Simmmons,
Breth,	Hamilton,	McCann,	Shupnik,
Buchanan,	Hankins,	McCormack,	Slack,
Bush,	Hartley,	McDevitt,	Snare,
Capano,	Haudenschild,	McDonald,	Stank,
Cioffi,	Heavey,	McInroy,	Steckel,
Comer,	Heffner,	McKeever,	Stimmel,
Cooley,	Helm,	McLaughlin,	Stiteler,
Crossin,	Henzel,	McNally,	Stone,
Davis,	Hocker,	Merry,	Sullivan, T. F.,
Dengler,	Holl,	Miller,	Thompson,
Dennison,	Holliday,	Mills,	Tompkins,
Donaldson,	Holman,	Monroe,	Trusio,
Dougherty,	Horst,	Morley,	Ujobai,
Doughten,	Irvis,	Munley,	Varner,
Edwards,	Isaacs,	Murphy,	Verona,
Eilberg,	Jenkins,	Murray,	Wall,
Elvey,	Jim,	Needham,	Walsh,
Eshback,	Johnson, A. W.,	O'Dell,	Wargo,
Eshleman,	Johnson, R. P.,	O'Donnell, J. A.,	Wefdnor,
Esler,	Jones,	O'Donnell, J. P.,	Weish,
Ewing,	Kamyk,	Odorisio,	Wescott,
Farabaugh,	Kelser,	Ogilvie,	Whittaker,
Fetterolf,	Kelly,	Parlante,	Willaredt,
Filo,	Kernaghan,	Pashley,	Willard,
Fineman,	Kessler,	Perry,	Williams, A. D.,
Flynn,	King,	Petrosky,	Williams, E. S.,
Foor,	Kistler,	Piper,	Wilt,
Fox,	Klein,	Polaski,	Wood,
Frascella,	Knecht,	Polen,	Worley,
Fry,	Kooker,	Prendergast,	Wynd,
Fulmer,	Kornick,	Pursley,	Yetter,
Galley,	Korns,	Reibman,	Zember,
Gallagher,	Lawson,	Reidenbach,	Zimmerman,
Gelfand,	Lee, A. M.,	Renwick,	Andrews,
George,	Lee, K. B.,	Riley,	Speaker

NAYS—0

NOT VOTING—23

Adams,	Clarke	Long, Wm. Jas.,	Seltzer,
Boles,	Curwood,	Meholchick,	Strausser,
Bowman,	Down,	Mihm,	Sullivan, J. A.,
Capitolo,	Foerster,	Mullen,	Taylor,
Caulley,	Kramer,	Musto,	Tomasclik,
Cianfrani,	Lamb,	Price,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 987, entitled:

An Act authorizing minor spouses to join with their adult spouse in the conveyance or mortgaging of their real estate and to execute bonds or other obligations in connection therewith and validating such actions taken.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—182

Anderson, J. H.,	Gibb,	Leonard,	Rovansek,
Anderson, S. A.,	Gibbons,	Limper,	Royer,
Arlene,	Goldstein, J. H.,	Lippincott,	Rubin,
Ashton,	Goldstein, M. H.,	Long, Wm. Jos.,	Rudisill,
Auker,	Goodrich,	Lutty,	Rutherford,
Bachman,	Gramlich,	Magee,	Sakulsky,
Backenstoe,	Gray,	Manbeck,	Scarcelli,
Blair,	Greenlee,	Markley,	Schaaf,
Bonner,	Gremminger,	Marsh,	Schuster,
Bossert,	Gross,	Maxwell,	Shelton,
Bower,	Guesman,	May,	Sherman,
Branca,	Guthrie,	McCandless,	Shupnik,
Breth,	Hamilton,	McCann,	Simmons,
Buchanan,	Hankins,	McCormack,	Slack,
Bush,	Hartley,	McDevitt,	Snare,
Capano,	Haudenshield,	McDonald,	Stank,
Cloffi,	Heavey,	McInroy,	Stimmel,
Comer,	Heffner,	McKeever,	Stiteler,
Crossin,	Helm,	McLaughlin,	Stone,
Davis,	Henzel,	McNally,	Sullivan, T. F.,
Dengler,	Hocker,	Merry,	Thompson,
Dennison,	Holl,	Miller,	Tompkins,
Donaldson,	Holliday,	Mills,	Trusio,
Dougherty,	Holman,	Monroe,	Ujobal,
Doughten,	Horst,	Morley,	Varner,
Edwards,	Irviss,	Munley,	Verona,
Ellberg,	Isaacs,	Murphy,	Wall,
Elvey,	Jenkins,	Needham,	Walsh,
Eshback,	Jim,	O'Dell,	Wargo,
Eshleman,	Johnson, A. W.,	O'Donnell, J. A.,	Weidner,
Esler,	Johnson, R. P.,	O'Donnell, J. P.,	Welsh,
Ewing,	Jones,	Odorisio,	Wescott,
Farabaugh,	Kamyk,	Parlante,	Whittaker,
Fetterolf,	Kelser,	Pashley,	Willard,
Filo,	Kelly,	Perry,	Willaredt,
Fineman,	Kernaghan,	Petrosky,	Williams, A. D.,
Flynn,	Kessler,	Piper,	Williams, E. S.,
Foor,	King,	Polaski,	Wilt,
Fox,	Kistler,	Polen,	Wood,
Frascella,	Klein,	Prendergast,	Worley,
Fry,	Knecht,	Pursley,	Wynd,
Fulmer,	Kooker,	Reibman,	Yetter,
Galley,	Kornick,	Reidenbach,	Zember,
Gallagher,	Korns,	Renwick,	Zimmerman,
Gelfand,	Lawson,	Riley,	Andrews,
George,	Lee, A. M.,		Speaker

NAYS—0

NOT VOTING—28

Adams,	Cooley,	Long, Wm. Jas.,	Price,
Boles,	Curwood,	Meholchick,	Seltzer,
Bowman,	Down,	Mihm,	Steckel,
Capitolo,	Foerster,	Mullen,	Strausser,
Caulley,	Kramer,	Murray,	Sullivan, J. A.,
Cianfrani,	Lamb,	Musto,	Taylor,
Clarke,	Lee, K. B.,	Ogilvie,	Tomasclik,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 670, entitled:

A Supplement to "The Pennsylvania Workmen's Compensation Act" approved June 2, 1915 (P. L. 736), providing for the payment of compensation to special school police appointed by boroughs or the dependents of such special school police.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—187

Anderson, J. H.,	Gibbons,	Leonard,	Rovansek,
Anderson, S. A.,	Goldstein, J. H.,	Limper,	Royer,
Arlene,	Goldstein, M. H.,	Lippincott,	Rubin,
Ashton,	Goodrich,	Long, Wm. Jos.,	Rudisill,
Auker,	Gramlich,	Lutty,	Rutherford,
Bachman,	Gray,	Magee,	Sakulsky,
Backenstoe,	Greenlee,	Manbeck,	Scarcelli,
Blair,	Gremminger,	Markley,	Schaaf,
Bonner,	Gross,	Marsh,	Schuster,
Bossert,	Guesman,	Maxwell,	Shelton,
Bower,	Guthrie,	May,	Sherman,
Branca,	Hamilton,	McCandless,	Shupnik,
Breth,	Hankins,	McCann,	Simmons,
Buchanan,	Hartley,	McCormack,	Slack,
Bush,	Haudenshield,	McDevitt,	Snare,
Capano,	Heavey,	McDonald,	Stank,
Cloffi,	Heffner,	McInroy,	Steckel,
Comer,	Helm,	McKeever,	Stimmel,
Crossin,	Henzel,	McLaughlin,	Stiteler,
Davis,	Hocker,	McNally,	Stone,
Dengler,	Holl,	Merry,	Sullivan, T. F.,
Dennison,	Holliday,	Miller,	Thompson,
Donaldson,	Holman,	Mills,	Tompkins,
Dougherty,	Horst,	Monroe,	Trusio,
Doughten,	Irviss,	Morley,	Ujobal,
Edwards,	Isaacs,	Munley,	Varner,
Ellberg,	Jenkins,	Murphy,	Verona,
Elvey,	Jim,	Murray,	Weidner,
Eshback,	Johnson, A. W.,	Needham,	Wall,
Eshleman,	Johnson, R. P.,	O'Dell,	Walsh,
Esler,	Jones,	O'Donnell, J. A.,	Wargo,
Ewing,	Kamyk,	O'Donnell, J. P.,	Welsh,
Farabaugh,	Kelser,	Odorisio,	Wescott,
Fetterolf,	Kelly,	Ogilvie,	Whittaker,
Filo,	Kernaghan,	Parlante,	Willard,
Fineman,	Kessler,	Pashley,	Willaredt,
Flynn,	King,	Perry,	Williams, A. D.,
Foor,	Kistler,	Petrosky,	Williams, E. S.,
Fox,	Klein,	Piper,	Wilt,
Frascella,	Knecht,	Polaski,	Wood,
Fry,	Kooker,	Polen,	Worley,
Fulmer,	Kornick,	Prendergast,	Wynd,
Galley,	Korns,	Pursley,	Yetter,
Gallagher,	Kramer,	Reibman,	Zember,
Gelfand,	Lawson,	Reidenbach,	Zimmerman,
George,	Lee, A. M.,	Renwick,	Andrews,
Gibb,	Lee, K. B.,	Riley,	Speaker

NAYS—0

NOT VOTING—23

Adams,	Clarke,	Long, Wm. Jas.,	Seltzer,
Boles,	Cooley,	Meholchick,	Strausser,
Bowman,	Curwood,	Mihm,	Sullivan, J. A.,
Capitolo,	Down,	Mullen,	Taylor,
Caulley,	Foerster,	Musto,	Tomasclik,
Cianfrani,	Lamb,	Price,	

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1538, entitled:

An Act relating to trading stamps providing for the escheat to the Commonwealth of Pennsylvania of unredeemed trading stamps and the value thereof issued in this Commonwealth and providing the procedure in connection therewith * * *.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be re-committed to the Committee on Rules.

On the question,

Will the House agree to the motion?

The yeas and nays were required by Messrs. HOCKER and OGILVIE and were as follows:

YEAS—137

Anderson, J. H.	Gelfand,	Lee, K. B.,	Reidenbach,
Anderson, S. A.	George,	Leonard,	Renwick,
Arlene,	Gibb,	Limper,	Riley,
Auker,	Goldstein, J. H.,	Long, Wm. Jos.,	Rovanseck,
Bachman	Goldstein, M. H.,	Lutty,	Rubin,
Bonner,	Goodrich,	Markley,	Rudisill,
Bossert,	Gray,	Maxwell,	Sakulsky,
Bower,	Greenlee,	May,	Scarcelli,
Branca,	Gremminger,	McCann,	Schuster,
Breth,	Hankins,	McDevitt,	Shelton,
Buchanan,	Hartley,	McInroy,	Sherman,
Capano,	Heavey,	McKeever,	Shupnik,
Cioffi,	Heffner,	McLaughlin,	Steckel,
Comer,	Holliday,	McNally,	Stiteler,
Cooley,	Holman,	Merry,	Stone,
Crossin,	Horst,	Miller,	Sullivan, T. F.,
Donaldson,	Irviss,	Mills,	Thompson,
Dougherty,	Isaacs,	Monroe,	Tomasck,
Doughten,	Jenkins,	Morley,	Tompkins,
Edwards,	Jim,	Munley,	Trusio,
Ellberg,	Johnson, A. W.,	Murphy,	Varner,
Elvey,	Jones,	Murray,	Verona,
Eshback,	Kamyk,	Musto,	Wall,
Eshleman,	Kelly,	Needham,	Walsh,
Esler,	Kernaghan,	O'Donnell, J. P.,	Wargo,
Ewing,	Kessler,	Odoriso,	Welsh,
Farabaugh,	Kistler,	Parlante,	Willard,
Filo,	Klein,	Pashley,	Wilt,
Fineman,	Knecht,	Perry,	Wood,
Flynn,	Kooker,	Piper,	Worley,
Fox,	Kornick,	Polaski,	Wynd,
Frascella,	Korns,	Polen,	Yetter,
Fry,	Kramer,	Prendergast,	Zember,
Galley,	Lawson,	Reibman,	Andrews,
Gallagher,			Speaker

NAYS—51

Ashton,	Guesman,	Manbeck,	Simmons,
Backenstoe,	Guthrie,	Marsh,	Slack,
Blair,	Haudenschild,	McCandless,	Snare,
Bush,	Helm,	McCormack,	Stank,
Davis,	Henzel,	McDonald,	Ujobai,
Dengler,	Hocker,	O'Dell,	Weidner,
Dennison,	Holl,	O'Donnell, J. A.,	Wescott,
Fetterolf,	Johnson, R. P.,	Ogilvie,	Whittaker,
Foor,	Keiser,	Petrosky,	Willaredt,
Fulmer,	King,	Pursley,	Williams, A. D.,
Gibbons,	Lee, A. M.,	Royer,	Williams, E. S.,
Gramlich,	Lippincott,	Rutherford,	Zimmerman,
Gross,	Magee,	Schaaf,	

NOT VOTING—22

Adams,	Clarke,	Long, Wm. Jas.,	Seltzer,
Boles,	Curwood,	Meholchick,	Stimmel,
Bowman,	Down,	Mihm,	Strausser,
Capitolo,	Foerster,	Mullen,	Sullivan, J. A.,
Cauley,	Hamilton,	Price,	Taylor,
Cianfrani,	Lamb,		

So the question was determined in the affirmative and the motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1560, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), redefining year to mean academic year in reference to State scholarships.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—185

Anderson, J. H.	Goldstein, J. H.,	Lippincott,	Royer,
Anderson, S. A.	Goldstein, M. H.,	Long, Wm. Jos.,	Rubin,
Arlene,	Goodrich,	Lutty,	Rudisill,
Ashton,	Gramlich,	Magee,	Rutherford,
Bachman	Gray,	Manbeck,	Sakulsky,
Backenstoe,	Greenlee,	Markley,	Scarcelli,
Blair,	Gremminger,	Marsh,	Schaaf,
Bonner,	Gross,	Maxwell,	Schuster,
Bossert,	Guesman,	May,	Shelton,
Bower,	Guthrie,	McCandless,	Sherman,
Branca,	Hankins,	McCann,	Shupnik,
Breth,	Hartley,	McCormack,	Simmons,
Buchanan,	Haudenschild,	McDevitt,	Slack,
Bush,	Heavey,	McDonald,	Snare,
Capano,	Heffner,	McInroy,	Stank,
Cioffi,	Helm,	McKeever,	Steckel,
Comer,	Henzel,	McLaughlin,	Stimmel,
Cooley,	Hocker,	McNally,	Stiteler,
Crossin,	Holl,	Merry,	Stone,
Davis,	Holliday,	Miller,	Sullivan, T. F.,
Dengler,	Holman,	Mills,	Thompson,
Dennison,	Horst,	Monroe,	Tomasck,
Donaldson,	Irviss,	Morley,	Tompkins,
Dougherty,	Isaacs,	Munley,	Trusio,
Doughten,	Jenkins,	Murphy,	Ujobai,
Edwards,	Jim,	Murray,	Varner,
Ellberg,	Johnson, A. W.,	Musto,	Verona,
Elvey,	Johnson, R. P.,	Needham,	Wall,
Eshback,	Jones,	O'Dell,	Walsh,
Eshleman,	Kamyk,	O'Donnell, J. A.,	Wargo,
Esler,	Kelser,	O'Donnell, J. P.,	Weidner,
Ewing,	Kernaghan,	Odoriso,	Welsh,
Farabaugh,	Kessler,	Ogilvie,	Wescott,
Filo,	King,	Parlante,	Whittaker,
Fineman,	Kistler,	Pashley,	Willard,
Flynn,	Klein,	Perry,	Willaredt,
Foor,	Knecht,	Petrosky,	Williams, A. D.,
Fulmer,	Kooker,	Piper,	Williams, E. S.,
Gibbons,	Kornick,	Polaski,	Wilt,
	Korns,	Polen,	Wood,
	Kramer,	Prendergast,	Worley,
	Lawson,	Pursley,	Wynd,
	Lee, A. M.,	Reibman,	Yetter,
	Lee, K. B.,	Renwick,	Zember,
	Leonard,	Riley,	Zimmerman,
	Limper,	Rovanseck,	Andrews,
			Speaker

NAYS—1

Auker,

NOT VOTING—24

Adams,	Clarke,	Kelly,	Price,
Boles,	Curwood,	Lamb,	Reidenbach,
Bowman,	Down,	Long, Wm. Jas.,	Seltzer,
Capitolo,	Edwards,	Meholchick,	Strausser,
Cauley,	Foerster,	Mihm,	Sullivan, J. A.,
Cianfrani,	Hamilton,	Mullen,	Taylor,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1774, entitled:

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333), further providing for the creation of new election districts and fixing the number of registered electors to be contained in election districts not using voting machines.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—184

Anderson, J. H.	Goldstein, J. H.,	Limper,	Renwick,
Anderson, S. A.,	Goldstein, M. H.,	Lippincott,	Riley,
Arlene,	Goodrich,	Long, Wm. Jos.,	Rovansek,
Ashton,	Gramlich,	Lutty,	Royer,
Bachman	Gray,	Manbeck,	Rubin,
Backenstoe,	Greenlee,	Magee,	Rudisill,
Blair,	Gremminger,	Markley,	Rutherford,
Bonner,	Gross,	Marsh,	Sakulsky,
Bossert,	Guesman,	Maxwell,	Scarcelli,
Bower,	Guthrie,	May,	Schuster,
Branca,	Hamilton,	McCandless,	Shelton,
Breth,	Hankins,	McCann,	Sherman,
Buchanan,	Hartley,	McCormack,	Shupnik,
Bush,	Haudenschild,	McDevitt,	Simmons,
Capano,	Heavey,	McDonald,	Slack,
Capitolo,	Heffner,	McInroy,	Snare,
Cioffi,	Helm,	McKeever,	Stank,
Clarke,	Henzel,	McLaughlin,	Steckel,
Comer,	Hocker,	McNally,	Stimmel,
Cooley,	Holl,	Meholchick,	Stiteler,
Crossin,	Holliday,	Merry,	Stone,
Davis,	Holman,	Miller,	Sullivan, T. F.,
Dengler,	Horst,	Mills,	Thompson,
Dennison,	Irviss,	Monroe,	Tomasick,
Donaldson,	Isaacs,	Morley,	Tompkins,
Dougherty,	Jenkins,	Munley,	Trusio,
Doughten,	Jim,	Murphy,	Ujobai,
Ellberg,	Johnson, A. W.,	Murray,	Varnar,
Elvey,	Johnson, R. P.,	Musto,	Verona,
Eshback,	Jones,	Needham,	Wall,
Eshleman,	Kamyk,	O'Dell,	Walsh,
Esler,	Keiser,	O'Donnell, J. A.,	Wargo,
Ewing,	Kelly,	O'Donnell, J. P.,	Weidner,
Farabaugh,	Kernaghan,	Odorisio,	Welsh,
Fetterolf,	Kessler,	Ogilvie,	Wescott,
Filo,	King,	Parlante,	Whittaker,
Fineman,	Kistler,	Pashley,	Willard,
Flynn,	Klein,	Perry,	Williams, A. D.,
Frascella,	Knecht,	Petrosky,	Williams, E. S.,
Fry,	Kooker,	Piper,	Wilt,
Fulmer,	Kornick,	Polaski,	Worley,
Galley,	Korns,	Polen,	Wynd,
Gelfand,	Kramer,	Prendergast,	Yetter,
George,	Lawson,	Pursley,	Zemmer,
Gibb,	Lee, A. M.,	Reibman,	Zimmerman,
Gibbons,	Lee, K. B.,	Reidenbach,	Andrews,

Speaker

NAYS—4

Auker,	Foor,	Fox,	Wood,
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NOT VOTING—22

Adams,	Down,	Long, Wm. Jas.,	Seltzer,
Boies,	Edwards,	Mihm,	Strausser,
Bowman,	Foerster,	Mullen,	Sullivan, J. A.,
Cauley,	Gallagher,	Price,	Taylor,
Cianfrani,	Lamb,	Schaaf,	Willaredt,
Curwood,	Leonard,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1811, entitled:

An Act providing for the regulation of credit life insurance and credit accident and health insurance conferring powers and imposing duties on the Insurance Commissioner and prescribing penalties.

On the question,

Will the House agree to the bill on third reading?

MOTION TO RECOMMIT

Mr. FLYNN. Mr. Speaker, I move that this bill be re-committed to the Committee on Rules.

On the question,

Will the House agree to the motion?

The SPEAKER. For what purpose does the minority leader rise?

Mr. A. W. JOHNSON. I rise to oppose the motion.

Mr. Speaker, when this bill first came out on the calendar, I read it over and did not quite understand it; I did not really know what the necessity was for the bill. I have had quite a few calls from friends of mine wanting me to be against the bill, but I want to say in all sincerity that I have restudied the bill and looked it over and it seems to me it would be a highly salutary thing for this type of business to be studied and some regulation had on it. I think it would be a very unwise thing to send this bill back to committee.

Therefore, I, ask that the members vote "no" on this motion.

The SPEAKER. The Chair recognizes the gentleman from Beaver, Mr. Hamilton.

Mr. HAMILTON. Mr. Speaker, I definitely oppose the recommittal of this bill at this time.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Messrs. A. W. JOHNSON and HAMILTON and were as follows:

YEAS—36

Bachman,	Fox,	Marsh,	Polen,
Bonner,	Fulmer,	Maxwell,	Renwick,
Bossert,	George,	McCandless,	Rovansek,
Capano,	Gibb,	McDonald,	Simmons,
Cioffi,	Goldstein, J. H.,	Merry,	Snare,
Esler,	Goldstein, M. H.,	Miller,	Thompson,
Farabaugh,	Holliday,	Mills,	Tomasick,
Flynn,	Holman,	Murphy,	Wilt,
Foor,	Magee,	Murray,	Zimmerman,

NAYS—152

Anderson, J. H.,	Goodrich,	Lawson,	Riley,
Anderson, S. A.,	Gramlich,	Lee, A. M.,	Royer,
Arlene,	Gray,	Lee, K. B.,	Rubin,
Ashton,	Greenlee,	Leonard,	Rudisill,
Auker,	Gremminger,	Limper,	Rutherford,
Backenstoe,	Gross,	Lippincott,	Sakulsky,
Blair,	Guthrie,	Lutty,	Scarcelli,
Bower,	Hamilton,	Long, Wm. Jos.,	Schaaf,
Branca,	Hankins,	Manbeck,	Schuster,
Breth,	Hartley,	Markley,	Shelton,
Buchanan,	Haudenschild,	May,	Sherman,
Bush,	Heavey,	McCann,	Shupnik,
Capitolo,	Heffner,	McCormack,	Slack,

Clarke,	Helm,	McDevitt,	Stank,
Comer,	Henzel,	McInroy,	Steckel,
Cooley,	Hocker,	McKeever,	Stimmel,
Crossin,	Holl,	McLaughlin,	Sullivan, T. F.,
Davis,	Horst,	McNally,	Tompkins,
Dengler,	Irviss,	Meholchick,	Ujobal,
Dennison,	Isaacs,	Monroe,	Varner,
Donaldson,	Jenkins,	Morley,	Verona,
Dougherty,	Jim,	Munley,	Wall,
Doughten,	Johnson, A. W.,	Needham,	Walsh,
Edwards,	Johnson, R. P.,	O'Dell,	Wargo,
Elberg,	Jones,	O'Donnell, J. A.,	Weldner,
Elvey,	Kamyk,	O'Donnell, J. P.,	Welsh,
Eshback,	Kelser,	Odorisio,	Wescott,
Eshleman,	Kelly,	Ogilvie,	Whittaker,
Ewing,	Kernaghan,	Parlante,	Willard,
Fetterolf,	Kessler,	Pashley,	Willaredt,
Filo,	King,	Perry,	Williams, A. D.,
Fineman,	Kistler,	Petrosky,	Williams, E. S.,
Frascella,	Klein,	Piper,	Wood,
Fry,	Knecht,	Polaski,	Worley,
Galley,	Kooker,	Prendergast,	Wynd,
Gallagher,	Kornick,	Pursley,	Yetter,
Gelfand,	Korns,	Reibman,	Zember,
Gibbons,	Kramer,	Reidenbach,	Andrews,

Speaker

NOT VOTING—22

Adams,	Down,	Mullen,	Stone,
Boles,	Foerster,	Musto,	Strausser,
Bowman,	Guesman,	Price,	Sullivan, J. A.,
Cauley,	Lamb,	Seltzer,	Taylor,
Cianfrani,	Long, Wm. Jas.,	Stiteler,	Trusio,
Curwood,	Mihm,		

So the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—147

Anderson, J. H.	George,	Lawson,	Reidenbach,
Anderson, S. A.,	Gibbons,	Lee, A. M.,	Riley,
Arlene,	Gramlich,	Lee, K. B.,	Royer,
Ashton,	Gray,	Leonard,	Rubin,
Auker,	Greenlee,	Limper,	Rudisill,
Backenstoe,	Gremminger,	Long, Wm. Jos.,	Rutherford,
Blair,	Gross,	Lutty,	Sakulsky,
Bower,	Guesman,	Markley,	Scarcelli,
Branca,	Guthrie,	May,	Schaaf,
Breth,	Hamilton,	McCandless,	Schuster,
Buchanan,	Hartley,	McCann,	Shelton,
Bush,	Heavey,	McCormack,	Sherman,
Capitolo,	Hefner,	McInroy,	Shupnik,
Cioffi,	Helm,	McKeever,	Slack,
Clarke,	Henzel,	McLaughlin,	Stank,
Comer,	Hocker,	McNally,	Steckel,
Cooley,	Holl,	Meholchick,	Stimmel,
Crossin,	Holliday,	Monroe,	Stone,
Davis,	Irviss,	Morley,	Sullivan, T. F.,
Dengler,	Isaacs,	Munley,	Tompkins,
Dennison,	Jenkins,	Murray,	Trusio,
Donaldson,	Jim,	Musto,	Ujobal,
Dougherty,	Johnson, A. W.,	Needham,	Verona,
Doughten,	Johnson, R. P.,	O'Dell,	Wall,
Edwards,	Jones,	O'Donnell, J. A.,	Wargo,
Elberg,	Kamyk,	O'Donnell, J. P.,	Weldner,
Elvey,	Kelser,	Odorisio,	Welsh,
Eshback,	Kelly,	Ogilvie,	Whittaker,
Eshleman,	Kernaghan,	Parlante,	Willaredt,
Fetterolf,	Kessler,	Pashley,	Williams, A. D.,
Filo,	King,	Perry,	Williams, E. S.,
Fineman,	Klein,	Petrosky,	Worley,
Frascella,	Knecht,	Piper,	Wynd,
Fry,	Kooker,	Polaski,	Yetter,
Galley,	Kornick,	Polen,	Zember,
Gallagher,	Korns,	Prendergast,	Andrews,
Gelfand,	Kramer,	Reibman,	

Speaker

NAYS—39

Bachman	Fulmer,	Marsh,	Snare,
Bossert,	Gibb,	Maxwell,	Thompson,
Capano,	Goldstein, J. H.,	Merry,	Tomascik,
Curwood,	Goldstein, M. H.,	Miller,	Varner,
Esler,	Goodrich,	Mills,	Wescott,
Ewing,	Haudenschild,	Murphy,	Willard,
Farabaugh,	Holman,	Pursley,	Wilt,
Flynn,	Horst,	Renwick,	Wood,
Foor,	Magee,	Rovansek,	Zimmerman,
Fox,	Manbeck,	Simmons,	

NOT VOTING—24

Adams,	Down,	Long, Wm. Jas.,	Seltzer,
Boles,	Foerster,	McDevitt,	Stiteler,
Bonner,	Hankins,	McDonald	Strausser,
Bowman,	Kistler,	Mihm,	Sullivan, J. A.,
Cauley,	Lamb,	Mullen,	Taylor,
Cianfrani,	Lippincott,	Price,	Walsh,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

PERMISSION TO ADDRESS HOUSE

Mr. STITELER asked and obtained unanimous consent to address the House.

Mr. Speaker, having a personal interest in this type of legislation such as the previous vote, I do not feel I have a right to vote, but I would like to be recorded as being present.

The SPEAKER. The Chair would believe that this was not a bill that applied especially to the gentleman from Somerset, that it applied to a great many people other than the gentleman from Somerset, and, in the opinion of the Chair and in view of many, many past precedents, the gentleman would have the right to vote.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 84, entitled:

An Act amending the act of June 25, 1947 (P. L. 1145), entitled as amended "Local Tax Enabling Law" changing the overall limit of tax revenues for certain taxing districts.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. TOMPKINS. Mr. Speaker, as I understand Senate bill 84, it changes the formula by which local taxes can be levied by all municipalities except school districts. I understand the provisions of Senate bill 84 were already provided for in school districts.

Essentially what it amounts to is that they change the base for calculating the amount of taxes which a local community can raise from an assessed valuation to a market valuation. They change it from a 15-mill base on the assessed valuation to a 12-mill base on the market valuation. That would mean that local communities would be entitled to raise essentially 300 percent more in tax revenue before they would be in violation of the tax enabling law—without being in violation of the law.

I consider this to be a breaking of the barrier on local

taxes. I further consider it to be a subterfuge to bypass the electorate on the amount of taxes which they may levy. For those reasons I am very much opposed to this bill.

On the question recurring,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—89

Anderson, S. A.,	Gelfand,	Leonard,	Polen,
Arlene,	Gibb,	Limper,	Prendergast,
Bachman	Gibbons,	Long, Wm. Jos.,	Pursley,
Bossert,	Goldstein, M. H.,	Lutty,	Reibman,
Bower,	Gray,	Maxwell,	Renwick,
Branca,	Greenlee,	May,	Riley,
Breth,	Gremminger,	McCormack,	Rubin,
Capitolo,	Hankins,	McDevitt,	Rudisill,
Cioffi,	Hartley,	McDonald,	Scarcelli,
Clarke,	Heavey,	McKeever,	Schaaf,
Comer,	Henzel,	McLaughlin,	Schuster,
Cooley,	Holl,	Mills,	Shelton,
Donaldson,	Irlis,	Monroe,	Sherman,
Dougherty,	Johnson, R. P.,	Morley,	Snare,
Doughten,	Jones,	Murphy,	Stank,
Eilberg,	Kamyk,	Musto,	Tomasclik,
Fetterolf,	Kelly,	O'Donnell, J. A.,	Verona,
Filo,	Kessler,	O'Donnell, J. P.,	Weish,
Fineman,	Kornick,	Parlante,	Willaredt,
Frascella,	Kramer,	Pashley,	Williams, A. D.,
Fry,	Lawson,	Perry,	Wilt,
Galley,	Lee, A. M.,	Polaski,	Yetter,
Gallagher,			

NAYS—98

Anderson, J. H.	Goodrich,	Lee, K. B.,	Simmons,
Ashton,	Gramlich,	Lippincott,	Slack,
Auker,	Gross,	Magee,	Steckel,
Backenstoe,	Guesman,	Manbeck,	Stimmel,
Blair,	Guthrie,	Markley,	Stiteler,
Buchanan,	Hamilton,	Marsh,	Stone,
Bush,	Haudenschild,	McCandless,	Sullivan, T. F.,
Capano,	Heffner,	McCann,	Thompson,
Curwood,	Heim,	McInroy,	Tompkins,
Davis,	Hocker,	Meholchick,	Ujobal,
Dengler,	Holliday,	Merry,	Varnar,
Dennison,	Holman,	Miller,	Wall,
Edwards,	Horst,	Munley,	Wargo,
Elvey,	Isaacs,	Needham,	Weidner,
Eshback,	Jenkins,	O'Dell,	Wescott,
Eshleman,	Jim,	Odorisio,	Whittaker,
Esler,	Johnson, A. W.,	Ogilvie,	Willard,
Ewing,	Keiser,	Petrosky,	Williams, E. S.,
Farabaugh,	Kernaghan,	Piper,	Wood,
Flynn,	King,	Reidenbach,	Worley,
Foor,	Kistler,	Rovansek,	Wynd,
Fox,	Klein,	Royer,	Zember,
Fulmer,	Knecht,	Rutherford,	Zimmerman,
George,	Kooker,	Shupnik,	Andrews,
Goldstein, J. H.,	Korns,		Speaker

NOT VOTING—23

Adams,	Crossin,	Mihm,	Strausser,
Boles,	Down,	Mullen,	Sullivan, J. A.,
Bonner,	Foerster,	Murray,	Taylor,
Bowman,	Lamb,	Price,	Trusio,
Cauley,	Long, Wm. Jas.,	Sakulsky,	Walsh,
Cianfrani,	McNally,	Seltzer,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 491, entitled:

An Act amending the act of June 25, 1941 (P. L. 159), entitled: "Municipal Borrowing Law," changing the definition of assessed valuation.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. McCANN. Mr. Speaker, the gentleman from Cameron, Mr. Tompkins, was standing there and desires to be recognized.

The SPEAKER. I know the gentleman might have been standing there, but, as the gentleman from Cameron well knows, to secure recognition he addresses the Chair in a loud and commanding voice.

The gentleman will proceed.

Mr. TOMPKINS. Mr. Speaker, this bill attempts to redefine the base upon which municipalities may borrow money. In doing so they attempt to redefine what constitutes assessed valuation of property and they define such valuation as being the market valuation for purposes of borrowing money.

Now, very clearly, in my opinion, this violates Article IX, section 8, of the constitution which provides that the debt borrowing capacity must be made upon the assessed values and not the market values. The distinction between assessed values and market values was very vividly recognized by the Commission on Constitutional Revision in 1958, which you will find in their report beginning on page 42, page 43, page 44 and page 45 relating to this very subject. In other words, if this definition should go through, you could triple the borrowing capacity of your local municipalities by 300 percent. Again, you would be breaking the barrier, not on legislation, but of the constitution in that respect, and, again, you would be having a subterfuge and a device to bypass the people on the control of their debt.

For that reason I am very definitely against this bill.

The SPEAKER. The Chair recognizes the majority leader.

Mr. McCANN. Mr. Speaker, Senate bill 491 and the question of the constitutionality that has been raised by the gentleman from Cameron, Mr. Tompkins, certainly may some day end up in the courts should this become law. But as the bill has been very carefully defined, this changes the definition from assessed valuation to market valuation. The percentage probably would be very great in some cases; in others, perhaps not as much. Some areas are assessed at the present time, I suppose, all the way from 15 percent to as high as 75 percent of market value. Certainly this is a step in the right direction to assist local municipalities in the borrowing power that they need, and I favor the legislation on the grounds that local municipalities have endorsed this type of legislation and asked us to support it. I hope that the membership of this House may be able to do the same.

The SPEAKER. The Chair recognizes the gentleman from Cameron.

Mr. TOMPKINS. Mr. Speaker, if they desire to accomplish that purpose, they then should take the recommendation of the Constitutional Revision Commission and make it in the form of a constitutional amendment rather than to try to do it by legislative fiat.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—115

Anderson, J. H.	Goldstein, J. H.,	Long, Wm. Jos.,	Polen,
Anderson, S. A.,	Goldstein, M. H.,	Lutty,	Prendergast,
Arlene,	Gray,	Marsh,	Pursley,
Auker,	Greenlee,	Maxwell,	Reibman,
Bachman	Gremminger,	May,	Reidenbach
Bonner,	Guesman,	McCandless,	Renwick,
Bossert,	Hamilton,	McCann,	Riley,
Bower,	Hankins,	McCormack,	Rubin,
Branca,	Hartley,	McDevitt,	Rudisill,
Breth,	Heavey,	McDonald	Sakulsky,
Capitolo,	Heffner,	McKeever,	Scarcelli,
Cioffi,	Henzel,	McLaughlin,	Schaaf,
Clarke,	Holl,	McNally,	Schuster,
Comer,	Holliday,	Miller,	Shelton,
Cooley,	Irviss,	Mills,	Sherman,
Crossin,	Jim,	Monroe,	Shupnik,
Donaldson,	Johnson, R. P.,	Morley,	Snare,
Dougherty,	Jones,	Munley,	Stank,
Ellberg,	Kamyk,	Murphy,	Sullivan, T. F.,
Fetterolf,	Kelly,	Murray,	Tomascik,
Filo,	Kessler,	Musto,	Trusio,
Fineman,	King,	Needham,	Verona,
Frascella,	Kornick,	O'Donnell, J. A.,	Wargo,
Fry,	Kramer,	O'Donnell, J. P.,	Welsh,
Galley,	Lamb,	Parlante,	Willaredt,
Gallagher,	Lawson,	Pashley,	Williams, A. D.,
Gelfand,	Lee, A. M.,	Perry,	Wilt,
Gibb,	Leonard,	Petrosky,	Yetter,
Gibbons,	Limper,	Polaski,	

NAYS—80

Adams,	Foor,	Knecht,	Steckel,
Ashton,	Fox,	Kooker,	Stimmel,
Backenstoe,	Fulmer,	Korna,	Stiteler,
Blair,	George,	Lee, K. B.,	Stone,
Buchanan,	Goodrich,	Lippincott,	Thompson,
Bush,	Gramlich,	Magee,	Tompkins,
Capano,	Gross,	Manbeck,	Ujobal,
Ourwood,	Guthrie,	Markley,	Varner,
Davis,	Haudenschild,	McInroy,	Wall,
Dengler,	Helm,	Meholchick,	Weidner,
Dennison,	Hocker,	Merry,	Wescott,
Doughten,	Holman,	O'Dell,	Whittaker,
Edwards,	Horst,	Odoristo,	Willard,
Elvey,	Isaacs,	Ogilvie,	Williams, E. S.,
Eshback,	Jenkins,	Piper,	Wood,
Eshleman,	Johnson, A. W.,	Rovansek,	Worley,
Esler,	Kelser,	Royer,	Wynd,
Ewing,	Kernaghan,	Rutherford,	Zember,
Farabaugh,	Kistler,	Simmons,	Zimmerman,
Flynn,	Klein,	Slack,	Andrews,

Speaker

NOT VOTING—15

Boies,	Down,	Mullen,	Sullivan, J. A.,
Bowman,	Foerster,	Price,	Taylor,
Cauley,	Long, Wm. Jas.,	Seltzer,	Walsh,
Cianfrani,	Mihm,	Strausser,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill 539, entitled:

An Act amending the act of December 20, 1933 (1933-34 P. L. 89), entitled "An act appropriating the moneys in The State Stores Fund" providing for additional kinds of insurance.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. MURPHY. Mr. Speaker, I would like to interrogate one of the sponsors of this bill, the chairman of the Committee on Insurance, Mr. Hamilton.

The SPEAKER. Will the gentleman from Beaver, Mr. Hamilton, chairman of the Committee on Insurance, permit himself to be interrogated?

Mr. HAMILTON. Mr. Speaker, this bill was not in my committee for investigation so I would not be able to give all the answers the gentleman would like to have.

Mr. MURPHY. Mr. Speaker, as I understand this bill, this would provide that the State may purchase public liability insurance for Liquor Control Board enforcement officers in the performance of their duties. I merely wanted to call the attention of the members of the House to the fact that Commonwealth employees in the performance of their duties cannot be liable for their conduct, and, consequently, the purchasing of public liability insurance would be a waste of money. I might say there are many court cases on direct point in this matter, one of them being a recent case handed down in my own county where the court held that pursuant to the Supreme Court rulings even the statutory authorization to carry liability insurance does not constitute a legislative waiver of immunity and, even though the employees in this particular instance, being public officials and employees, committed a certain act and public liability insurance covered their conduct, it was not a waiver of their immunity. Consequently, the plaintiff had no claim against the tortfeasor. That is why I would like to say that purchasing this type of insurance by the Commonwealth is a waste of money.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. McCormack.

Mr. McCORMACK. Mr. Speaker, may I interrogate the gentleman from Washington, Mr. Murphy?

The SPEAKER. Will the gentleman from Washington, Mr. Murphy, permit himself to be interrogated?

Mr. MURPHY. I shall, Mr. Speaker.

Mr. McCORMACK. Mr. Speaker, in a situation where a statute has provided that the government may be sued for liability, why then would the agent be responsible in that situation?

Mr. MURPHY. Mr. Speaker, it is my legal understanding—I am sure the Philadelphia lawyer knows the law better than I do on public liability, but it is my understanding—that where there is a statutory waiver of the Commonwealth's immunity then a lawsuit will lie, that is correct.

Mr. McCORMACK. There have been statutory waivers provided in several situations and—

Mr. MURPHY. But not in this instance.

Mr. McCORMACK. That is what I want to know. Does the gentleman know for a fact whether or not the Pennsylvania Liquor Control Board is subject to public liability?

Mr. MURPHY. It is my understanding that in the performance of their duties as enforcement officers they are immune from liability.

Mr. McCORMACK. Then if this were to pass—Does Mr. Sakulsky desire to be interrogated? I am trying to get some information and if he can be helpful, I will be glad.

Mr. MURPHY. Mr. Speaker, it takes two of us to compete with a Philadelphia lawyer, and I am sure the Speaker will verify that.

Mr. McCORMACK. Then, as I understand your position, and I am not for this bill, you are saying that since the Liquor Control Board is not subject to public liability, therefore there would be no reason to protect the agent because he would not be liable, either, in the performance of his duty. Is that correct?

Mr. MURPHY. That is right.

Mr. McCORMACK. And that the carrying of insurance does not waive this immunity?

Mr. MURPHY. The fact that we authorize them to be covered by insurance does not waive their immunity.

Mr. McCORMACK. I see Mr. Fineman is shaking his head. May I interrogate the gentleman from Philadelphia, Mr. Fineman?

The SPEAKER. Will the gentleman from Philadelphia, Mr. Fineman, permit himself to be interrogated?

Mr. FINEMAN. I shall, Mr. Speaker.

Mr. McCORMACK. Mr. Speaker, as I understand this bill, it would provide for the payment of premiums for policies taken out on behalf of enforcement officers of the Liquor Control Board for public liability insurance. Is that correct?

Mr. FINEMAN. That is correct.

Mr. McCORMACK. Public liability insurance is insurance to protect enforcement officers from claims made by the general public?

Mr. FINEMAN. That is correct.

Mr. McCORMACK. And, of course, claims would be made by the general public for negligence in the performance of their duties as enforcement officers?

Mr. FINEMAN. That is correct.

Mr. McCORMACK. Under the present law is the Pennsylvania Liquor Control Board subject to public liability?

Mr. FINEMAN. You mean is it subject to claims?

Mr. McCORMACK. Is it subject to claims by the public?

Mr. FINEMAN. I think not. Any State agency acting in its proprietary capacity is exempt from immunity, but the actor, the individual, has no shield of immunity, as I understand the law, because he is an agent of a State agency. Therefore, he would be in need of the insurance. I, therefore, disagree with the gentleman from Washington County.

Mr. McCORMACK. You mean if an enforcement agent is acting within the scope of his authority as an agent, even though the agency would not be responsible, the individual actor would be if he acts negligently?

Mr. FINEMAN. An agent is always responsible for his torts.

Mr. McCORMACK. And that would be so in this situation?

Mr. FINEMAN. That is right.

Mr. McCORMACK. Then there would be a need for public liability insurance, even though the Liquor Control Board is not subject to claim?

Mr. FINEMAN. That is right.

Mr. McCORMACK. Then if he acts without the scope of his employment, this insurance would not cover that situation, would it?

Mr. FINEMAN. The provisions of the policy would

exempt the insurance company from being held on the risk.

Mr. McCORMACK. Then there is a need for this insurance?

Mr. FINEMAN. As I understand the law, there is a need, yes.

Mr. McCORMACK. Thank you, Mr. Speaker.

Mr. MURPHY. Mr. Speaker, I agree with the gentleman from Philadelphia that the actor himself, the Commonwealth agent himself, as an individual, is not immune from such liability, but the Commonwealth itself, which would pay these premiums, is an immune body. Even though we should carry insurance on our employes and they should act negligently, the Commonwealth itself is purchasing this insurance to insure both the agent and the Commonwealth, and I say that if the agent himself acts in a negligent manner, he should cover his own liability and that the Commonwealth should not expend payment for premiums which are not going to provide the Commonwealth with one penny's worth of protection.

Mr. McCORMACK. Mr. Speaker, it seems to me that the only question here is a policy question, according to the gentleman from Philadelphia, Mr. Fineman, and I have reason to believe that what he states is a correct statement of the law, that an agent could be held responsible even though the agency could not be under the present law. The question is one of policy, whether or not we, the Commonwealth of Pennsylvania, should provide the premiums for public liability to protect that agent who is acting within the scope of his authority, although acting in a negligent manner. The question is whether we should pay the premium for that insurance, which I imagine is not too significant a sum, or whether the individual agent, based upon the salary he receives and the other benefits from the Commonwealth, is in a financial position to assume the cost of paying the premium. I think that because of the money that the agents receive in Pennsylvania today the Commonwealth could very well afford to pay the premiums on this public liability insurance rather than the individual agents. I, therefore, suggest to the members of the House that this is really a good bill.

Mr. M. H. GOLDSTEIN. Mr. Speaker, I concur with the observations of the gentleman from Washington, Mr. Murphy. The bill is very astutely drawn. It says for policies in the performance of their duties, not in the course of their employment. Under this bill, if a liquor control agent in the performance of his duty commits an assault unwarrantedly upon an individual citizen, then the policy would cover the agent. We think no agent should be protected against an illegal act and because the bill is drawn in this manner we feel it should be defeated.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Sherman.

Mr. SHERMAN. Mr. Speaker, I have had cases involving the same question where suit was brought against an operator of an automobile or vehicle belonging to the city. The city itself was omitted from the suit, even though the party was driving the vehicle in the course of employment. You have the same situation with the State. Yet, that party needed protection, and why should he go ahead and hire his own protection, an attorney,

and go into hundreds of dollars of expense? This provides for protection for the man who was driving within his employment or engaged in pursuit of his employment. It is protection that should be afforded a man of that kind. Therefore, I ask the support of both sides.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Lamb.

Mr. LAMB. Mr. Speaker, I have noticed the tendency in the appellate courts, the Supreme Court of Pennsylvania and also the Circuit Court of Appeals, in the third circuit, to do what they possibly could to get around the very harsh doctrine that the sovereign cannot be sued. I think it is very likely, in the near future, for the court to rule that the Pennsylvania Liquor Control Board is not acting in a governmental function, and acting in a proprietary function and can be sued. I think that the court can very well rely upon a recent case handed down by the third circuit to the effect that the turnpike commission can be sued for its negligence. On that basis I think we should take a forward step and look ahead and protect the state store employes in this case. Thank you.

On the question recurring,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—169

Adams,	Goldstein, J. H.,	Lee, A. M.,	Riley,
Anderson, J. H.	Goodrich,	Lee, K. B.,	Royer,
Anderson, S. A.,	Gramlich,	Leonard,	Rubin,
Arlene,	Gray,	Limper,	Rudisill,
Ashton,	Greenlee,	Lippincott,	Rutherford,
Auker,	Gremminger,	Long, Wm. Jos.,	Sakulsky,
Bachman	Gross,	Lutty,	Scarcelli,
Backenstoe,	Guesman,	Manbeck,	Schaaf,
Blair,	Guthrie,	Markley,	Schuster,
Bonner,	Hamilton,	Marsh,	Seltzer,
Bossert,	Hankins,	Maxwell,	Shelton,
Bower,	Hartley,	McCann,	Sherman,
Branca,	Heavey,	McCormack,	Shupnik,
Breth,	Hefner,	McDevitt,	Slack,
Buchanan,	Helm,	McDonald,	Snare,
Capitolo,	Henzel,	McInroy,	Stank,
Cioffi,	Hocker,	McKeever,	Steckel,
Clarke,	Holl,	McLaughlin,	Stimmel,
Comer,	Holliday,	Meholchick,	Stiteler,
Cooley,	Holman,	Miller,	Stone,
Crossin,	Horst,	Mills,	Sullivan, T. F.,
Curwood,	Irvis,	Monroe,	Tomasick,
Davis,	Isaacs,	Morley,	Tompkins,
Dengler,	Jenkins,	Munley,	Trusio,
Dennison,	Jim,	Murray,	Ujobal,
Donaldson,	Johnson, A. W.,	Musto,	Verona,
Dougherty,	Johnson, R. P.,	Needham,	Wall,
Doughten,	Jones,	O'Dell,	Walsh,
Edwards,	Kamyk,	O'Donnell, J. A.,	Wargo,
Ellberg,	Kelser,	Odorisio,	Weidner,
Elvey,	Kelly,	Ogilvie,	Welsh,
Eshback,	Kernaghan,	Parlante,	Wescott,
Fetterolf,	Kessler,	Pashley,	Willard,
Flo,	Kistler,	Perry,	Willaredt,
Fineman,	Klein,	Petrosky,	Williams, A. D.,
Fox,	Knecht,	Piper,	Williams, E. S.,
Frascella,	Kooker,	Polaski,	Wood,
Fry,	Kornick,	Polen,	Worley,
Fulmer,	Korns,	Prendergast,	Wynd,
Galley,	Kramer,	Reibman,	Yetter,
Gallagher,	Lamb,	Reidenbach,	Zember,
Gelfand,	Lawson,	Renwick,	Andrews,
George,			

Speaker

NAYS—24

Bush,	Foor,	Magee,	Rovansek,
Capano,	Gibb,	May,	Simmons,
Esler,	Gibbons,	McCandless,	Thompson,
Ewing,	Goldstein, M. H.,	Merry,	Whittaker,
Farabaugh,	Haudenschild,	Murphy,	Wilt,
Flynn,	King,	Pursley,	Zimmerman,

NOT VOTING—17

Boles,	Eshleman,	Mihm,	Strausser,
Bowman,	Foerster,	Mullen,	Sullivan, J. A.,
Cauley,	Long, Wm. Jas.,	O'Donnell, J. P.,	Taylor,
Clanfrani,	McNally,	Price,	Varner,
Down,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 540, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929" providing for additional kinds of insurance.

On the question,

Will the House agree to the bill on third reading?

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Goldstein.

Mr. M. H. GOLDSTEIN. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. Are these amendments agreed upon?

Mr. McCANN. No. sir.

Mr. M. H. GOLDSTEIN. I think, Mr. McCann will concur in them for the benefit of good government.

Mr. McCANN. Mr. Speaker, I answered the question, these amendments have not been agreed to.

The SPEAKER. Will the clerk read the amendments in full, or does the gentleman from Allegheny desire that they not be read in full and he will explain them?

Mr. M. H. GOLDSTEIN. Mr. Speaker, I will explain the amendments.

Messrs. M. H. GOLDSTEIN and K. B. LEE asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the clerk for information.

Amend Title, page 2, last line of Title, by inserting after "insurance" and authorizing the Secretary of Property and Supplies to transact business as an insurance broker for the purpose of contracting insurance and surety bonds for any department, board, agency or commission of this Commonwealth and for any State authority established by law

Amend Bill, page 5, by inserting between lines 3 and 4 Section 2. The act is amended by adding after section 2404, a new section to read:

Section 2404.1. Secretary of Property and Supplies a Licensed Insurance Broker.—The Secretary of Property and Supplies ex officio is hereby authorized and his duty shall be to transact business as a licensed insurance broker for the purpose of contracting all insurance and surety bonds for any department, board, agency or commission of this Commonwealth and for the General State Authority, the State Public School Building Authority or any other State authority or commission created by law.

Any and all fees collected by the Secretary of Property and Supplies for the performance of the duties of a licensed insurance broker in contracting insurance or surety bonds for any department, board, agency, commission or authority of this Commonwealth shall be paid into the General Fund through the State Treasury.

Section 3. (a) The following acts and parts of acts are repealed in so far as they authorize the contracting of insurance for any department, board, agency, commis-

sion or authority of this Commonwealth through an insurance broker other than the Secretary of Property and Supplies:

(1) Section 509, act of April 9, 1929 (P. L. 177), known as "The Administrative Code of 1929."

(2) Section 303, act of April 9, 1929 (P. L. 343), known as "The Fiscal Code" and its amendments.

(3) Section 623, act of May 17, 1921 (P. L. 789), known as "The Insurance Department Act of one thousand nine hundred and twenty-one" and its amendments.

(4) The act of July 5, 1947 (P. L. 1217), known as the "State Public School Building Authority Act" and its amendments.

(5) The act of March 31, 1949 (P. L. 372), known as "The General State Authority Act of one thousand nine hundred forty-nine," and its amendments.

(b) All other acts and parts of acts are repealed in so far as they authorize the contracting of insurance for any department, board, agency, commission or authority of this Commonwealth through an insurance broker other than the Secretary of Property and Supplies.

Amend Sec. 2, page 5, line 4, by striking out "2" and inserting 4

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the gentleman from Allegheny.

Mr. M. H. GOLDSTEIN. Mr. Speaker, these amendments incorporate a part of the Republican policy in the interest of economy and good government. They are, briefly, as follows:

Where insurance is purchased by the Commonwealth of Pennsylvania, the Secretary of Property and Supplies shall be the insurance broker and the proceeds received by him, as the insurance broker, shall be paid into the General Fund.

Today in Pennsylvania we are spending millions of dollars to carry on government. Here is an opportunity for us, as legislators, to make some money for the taxpayers. The people who receive these moneys are participating in a political gravy train. They perform no service on behalf of the public. They are designated by people from a list. The amount that could go back to the taxpayers is unestimated, but I am quite sure whether it is tens of thousands of dollars or even a million dollars it should be done, because we, as legislators, must bring about a climate in Pennsylvania wherein the citizens will feel that we are doing something for them and not against them. I ask all members on both sides of the House to vote for this amendment. There is no reason in the world why a man sitting in Philadelphia or Pittsburgh should receive a piece of paper and receive hundreds of thousands of dollars merely because he knows the political party in power. I want to pinpoint this very carefully. At times, not only Democrats but Republicans, have had the benefit of this particular policy. These amendments are merely a restatement of bills which I introduced when, not only Republicans, but Democrats, participated. Whether it is bipartisan today, I do not know, but it is not the kind of bipartisanship we want.

The SPEAKER. The Chair would call attention to the fact that the gentleman from Washington was standing but did not address the Chair. The Chair cannot always see the entire House. The majority leader did not know

that the gentleman from Washington was standing. It is just as easy for the members to say in a loud, commanding voice, after the fashion of the gentleman from Cameron, "Mr. Speaker," and continue saying Mr. Speaker, Mr. Speaker, until they are recognized.

Mr. MURPHY. Thank you, Mr. Speaker. However, I recall that on one occasion I did that and was admonished by the Speaker for butting in before I was recognized.

Mr. Speaker, I would like to say that the reasons set forth by the gentleman from Allegheny were the very reasons why I opposed Senate bill 539. On many, many occasions, the Commonwealth of Pennsylvania has been, in the past years, purchasing insurance which it does not need, and consequently, it is a waste of money. I would say that if these amendments were supported, we had an agency of the Commonwealth as a broker of record, that we would only purchase the insurance that is necessary, and, consequently, we would not be tied up in buying insurance to insure the Commonwealth when the Commonwealth is not liable. I would like to support those amendments.

The SPEAKER. The Chair recognizes the majority leader.

Mr. McCANN. Mr. Speaker, I ask the membership on this side of the House to vote "no" on the amendments offered by the gentleman from Allegheny, Mr. Goldstein.

The SPEAKER. How does the gentleman who offers the amendments desire that they should be resolved?

Mr. M. H. GOLDSTEIN. Mr. Speaker, I ask for a roll call.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. M. H. GOLDSTEIN and McCANN and were as follows:

YEAS—91

Adams,	George,	Kessler,	Seltzer,
Anderson, J. H.	Gibb,	King,	Simmons,
Ashton,	Gibbons,	Kistler,	Slack,
Auker,	Goldstein, J. H.,	Knecht,	Snare,
Blair,	Goldstein, M. H.,	Kooker,	Stiteler,
Bossert,	Goodrich,	Korns,	Thompson,
Bower,	Gramlich,	Lee, A. M.,	Tompkins,
Buchanan,	Gross,	Lee, K. B.,	Ujebal,
Bush,	Guthrie,	Lippincott,	Varner,
Capano,	Haudenshield,	Magee,	Wall,
Dengler,	Heffner,	Marsh,	Wescott,
Dennison,	Henzel,	May,	Whittaker,
Donaldson,	Hocker,	McCandless,	Willard,
Edwards,	Holl,	McCormack,	Willaredt,
Elvey,	Holliday,	McInroy,	Williams, A. D.,
Esler,	Holman,	Merry,	Williams, E. S.,
Ewing,	Horst,	Miller,	Wilt,
Farabaugh,	Isaacs,	Murphy,	Wood,
Fetterolf,	Johnson, A. W.,	O'Dell,	Worley,
Flynn,	Johnson, R. P.,	Ogilvie,	Wynd,
Foor,	Jones,	Piper,	Zember,
Fox,	Kelser,	Pursley,	Zimmerman,
Fulmer,	Kernaghan,	Reidenbach,	

NAYS—103

Anderson, S. A.,	Gray,	McCann,	Rovansek,
Arlene,	Greenlee,	McDevitt,	Rubin,
Bachman,	Gremminger,	McDonald,	Rudisill,
Backenstoe,	Guesman,	McKeever,	Rutherford,
Bonner,	Hamilton,	McLaughlin,	Sakulsky,
Branca,	Hankins,	McNally,	Scarcelli,
Capitolo,	Hartley,	Meholchick,	Schaaf,
Cloffi,	Heavey,	Mills,	Schuster,
Clarke,	Helm,	Monroe,	Shelton,
Comer,	Irvis,	Morley,	Sherman,
Cooley,	Jenkins,	Munley,	Shupnik,
Crossin,	Jim,	Musto,	Stank,
Curwood,	Kamyk,	Needham,	Steckel,

Davis, Dougherty, Doughten, Elberg, Eshback, Eshleman, Filo, Fineman, Frascella, Fry, Galley, Gallagher, Gelfand,	Kelly, Klein, Kornick, Kramer, Lamb, Lawson, Leonard, Limper, Long, Wm. Jos., Luty, Manbeck, Markley, Maxwell,	O'Donnell, J. A., O'Donnell, J. P., Odorisio, Parlante, Pashley, Perry, Petrosky, Polaski, Polen, Prendergast, Reibman, Renwick, Riley,	Stimmel, Stone, Sullivan, T. F., Tomascik, Trusio, Verona, Walsh, Wargo, Weidner, Welsh, Yetter, Andrews, Speaker
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NOT VOTING—16

Boles, Bowman, Breth, Cauley,	Cianfrani, Down, Foerster, Long, Wm. Jas.,	Mihm, Mullen, Murray, Price,	Royer, Strausser, Sullivan, J. A., Taylor,
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So the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—175

Adams, Anderson, J. H., Anderson, S. A., Arlene, Ashton, Auker, Bachman, Backenstoe, Blair, Bonner, Bossert, Bower, Breth, Buchanan, Capitolo, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dengler, Dennison, Donaldson, Dougherty, Doughten, Edwards, Elberg, Elvey, Eshback, Eshleman, Esler, Ewing, Fetterolf, Filo, Fineman, Four, Fox, Frascella, Fry, Fulmer, Galley, Gallagher,	Gelfand, George, Gibbons, Goldstein, J. H., Gramlich, Gray, Greenlee, Gremminger, Guesman, Guthrie, Hamilton, Hankins, Hartley, Haudenschild, Heavey, Heffner, Helm, Henzel, Hocker, Holl, Holliday, Holman, Irvie, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kaiser, Kelly, Kernaghan, Kessler, King, Kistler, Klein, Kooker, Kornick, Korns, Kramer, Lamb, Lee, A. M., Leonard,	Limper, Lippincott, Long, Wm. Jos., Lutty, Magee, Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McCormack, McDevitt, McDonald, McInroy, McKeever, McLaughlin, McNally, Meholchick, Merry, Miller, Mills, Monroe, Morley, Munley, Musto, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, Parlante, Pashley, Perry, Petrosky, Piper, Polaski, Polen, Prendergast, Reibman, Reldenbach, Renwick,	Riley, Rovanssek, Royer, Rubin, Rudisill, Rutherford, Sakulsky, Scarcell, Schaaf, Schuster, Seitzer, Shelton, Sherman, Shupnik, Simmons, Slack, Snare, Stank, Steckel, Stimmel, Stiteler, Stone, Sullivan, T. F., Trusio, Ujohal, Varnier, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Whittaker, Willard, Willaredt, Williams, A. D., Williams, E. S., Wood, Wynd, Yetter, Zember, Zimmerman, Andrews, Speaker
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NAYS—18

Bush, Capano, Farabaugh, Flynn, Gibb,	Goldstein, M. H., Goodrich, Gross, Horst, Knecht,	Lee, K. B., Murphy, Pursley, Thompson,	Tompkins, Wescott, Wilt, Worley,
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NOT VOTING—17

Boles, Bowman, Branca, Cauley, Cianfrani,	Down, Foerster, Lawson, Long, Wm. Jas.,	Mihm, Mullen, Murray, Price,	Strausser, Sullivan, J. A., Taylor, Tomascik,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

ANNOUNCEMENTS

Mr. McCANN. Mr. Speaker, at this point I will ask that the committee announcements be made and the bills to be amended.

This House will convene tomorrow at 1 o'clock fast time. There is a public hearing tomorrow. There will be no more roll calls today.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. LUTTY asked and obtained permission for the Committee on Cities—Counties Second Class and Second Class A to meet during the session of the House.

Mr. HELM IN THE CHAIR

COMMITTEE MEETINGS

COUNTIES, Mr. Cioffi, chairman, Room 131-C, Tuesday, July 18, at 11:15 a.m.

HIGHWAYS, Mr. Comer, chairman, Room 521, Tuesday, July 18, at 12:45 p.m.

PUBLIC UTILITIES AND CORPORATIONS, Mr. Mills, chairman, Room 331, Tuesday, July 18, at 12 noon.

PUBLIC WELFARE, Mr. Stone, chairman, new House caucus room, Tuesday, July 18, at 9:30 a.m. Hearing on House bill No. 1803.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 720, entitled:

An Act amending the "Pennsylvania Fair Employment Practice Act" approved October 27, 1955 (P. L. 744), changing the definitions of employer and age and clarifying which advertisements by an individual seeking employment constitute unlawful employment practices.

On the question,

Will the House agree to the bill on third reading?

Mr. McCANN asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Title, page 1, first line of Title, by inserting after "entitled": as amended

Amend Title, page 1, fifth line of Title, by striking out "Fair Employment Practice" and inserting: Human Relations

Amend Sec. 1, page 2, line 1, by inserting after "4": and subsections (a) and (g) of section 5

Amend Sec. 1, page 2, line 2, by striking out "Fair Employment Practice" and inserting: Human Relations

Amend Sec. 1, page 2, line 3, by inserting after "Act": amended February 28, 1961 (Act No. 19)

Amend Sec. 2, page 3, lines 3 and 4, by striking out all of said lines

Amend Sec. 2, (Sec. 5), page 4, line 5, by striking out "evpresses" and inserting: expresses

Amend Sec. 2, (Sec. 5), page 4, line 7, by striking out "perference" and inserting: preference

Amend Sec. 3, page 4, line 9, by striking out "3" and inserting: 2

Amend Sec. 3, page 4, line 9, by striking out "immediately" and inserting: September 1, 1961

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 111, entitled:

An Act revising the procedure to be followed in cities of the first class concerning arrest detention and bail and substituting criminal summons for warrant of arrest in certain criminal cases.

On the question,

Will the House agree to the bill on third reading?

Mr. GAILEY asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Title, page 1, first and second lines of Title, by striking out "IN CITIES OF THE FIRST CLASS"

Amend Sec. 1, page 1, line 4, by striking out "A CITY OF THE FIRST CLASS AND" and inserting: the city or county in which

Amend Sec. 1, page 2, line 1, by striking out "THEREIN" and

Amend Sec. 1, page 2, line 2, by striking out "OR"

Amend Sec. 1, page 2, line 2, by inserting after "magistrate": alderman or justice of the peace

Amend Sec. 1, page 2, line 9, by striking out "OR"

Amend Sec. 1, page 2, line 9, by inserting after "MAGISTRATE": alderman or justice of the peace

Amend Sec. 3, page 3, line 12, by striking out "OR"

Amend Sec. 3, page 3, line 12, by inserting after "magistrate": alderman or justice of the peace

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 529, entitled:

An Act amending the act of December 27, 1951 (P. L. 1742), entitled as amended "The Realty Transfer Tax Act" excluding from taxation transfers of property between divorced spouses.

On the question,

Will the House agree to the bill on third reading?

Mr. McCANN asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Sec. 1 (Sec. 2), page 2, line 15, by striking out "six" and inserting: three

Amend Sec. 1 (Sec. 2), page 2, line 16, by inserting after "divorce": and the property or interest therein subject to such transfer was acquired by the husband and wife or husband or wife prior to the granting of the final decree in divorce

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

HOUSE RESOLUTION NO. 50

Mr. McCANN. Mr. Speaker, I call up House Resolution No. 50 on page 21 of the calendar.

The resolution was read by the clerk as follows:

In the House of Representatives, April 4, 1961.

Whereas the Independence Hall Mall is now nearly a completed project of the Commonwealth of Pennsylvania and

Whereas the Federal Mall East of Independence Hall is also nearing completion and

Whereas the Redevelopment Authority Law which has helped give new life to so many important sections of the Commonwealth of Pennsylvania is a direct outgrowth of the Independence Hall Mall idea and

Whereas historic Society Hill and the Independence Neighborhood of old Philadelphia are being rebuilt modernized and redeveloped but will maintain a substantial portion of buildings of the late eighteenth and early nineteenth centuries so that such area will have the largest concentration of continuously occupied structures of early American architecture in the United States of America and

Whereas the millions of dollars expended in the Redevelopment program in and around old Philadelphia are bringing into being many many more millions of dollars of new structures and millions of dollars in revenue to the governments involved and

Whereas all of this activity was stimulated and started by petitions of the residents of Philadelphia's Fifth Ward prepared by a former member of the House of Representatives the Honorable Isidor Ostroff and circulated by his committee made up of Harry Faden Jacob Tracer Eugene Kane Louis Ordile Lena Singer Harry Gralnick Barney Brooke Harry Katz Sabina Singer Harry Schmukler Dorothy Schaeffer I L Stern Albert Gerofsky Henry LeBlond and many others and

Whereas such petitions were forwarded to Congressman Leon Sacks who first introduced in the Congress of the United States a bill prepared by the Honorable Isidor Ostroff for the creation of the Independence Hall Mall which bill was introduced in subsequent Congresses by the successors of Congressmen Sacks Gallagher Bradley Cardie Scott and Byrne and

Whereas the said Isidor Ostroff cooperated with Honorable Edwin O Lewis and the Independence Hall Association in many appearances before this and the National Legislature and worked anonymously with Judge Lewis to bring about the realization of this patriotic transformation of Old Philadelphia during which he had the "soubriquet" of "chief errand boy" and liaison and

Whereas it is fitting and proper that the Legislature of Pennsylvania should record for posterity the unsung selfless devotion with which our former colleague worked with any and all who would make possible the proper enshrinement of our nation's most cherished historical structures and the best setting for America's most historic mile square therefore be it

Resolved That the Legislature of Pennsylvania extends its congratulations and felicitations to the Honorable Isidor Ostroff on the transformation of the area in the vicinity of Independence Hall into a site of beauty and a fitting setting for the enshrinement of our nation's most hallowed historic structures and the preservation of so many authentic early American structures and our gratification that his dedicated persistency in the face of ridicule and skepticism made possible the realization of his "dream" for a better Philadelphia and be it further

Resolved That a copy of this resolution be sent to the Isidor Ostroff

On the question,

Will the House adopt the resolution?

Mr. A. M. LEE asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend preamble, page 2, by inserting between first and second preamble:

Whereas, The Honorable Edwin O. Lewis, former Judge of the Court of Common Pleas of Philadelphia County, devoted many years to the stimulation and implementation of these projects and provided the inspiration and leadership so necessary to its success; and

Amend second preamble, page 2, by striking out "all of" in the first line of the preamble.

Amend second preamble, page 2, by striking out "started" in the first line of preamble and inserting: encouraged

Amend third preamble, page 2, by striking out "Cardie" in the next to last line of preamble and inserting: Hardie

Amend second preamble, page 3, by striking out "our former colleague" in the third line of preamble and inserting: these persons

Amend second preamble, page 3, by striking out "who would" in third line of preamble and inserting: to

Amend first resolution, page 3, second line of resolution, by inserting after "to": the Honorable Edwin O. Lewis

Amend first resolution, page 3, second line of resolution, by inserting after "Ostroff": Congressmen Sacks, Gallagher, Bradley, Hardie, Scott and Byrne, as well as the residents of the Fifth Ward of Philadelphia referred to above

Amend first resolution, page 3, sixth line of resolution, by striking out "his" and inserting: their

Amend first resolution, page 4, first line of resolution, by striking out "his" and inserting: their

Amend second resolution, page 4, second line of resolution, by inserting after "the": Honorable Edwin O. Lewis, the Honorable

Amend second resolution, page 4, third line of resolution, by inserting after "Ostroff": Congressmen Sacks, Gallagher, Bradley, Hardie, Scott and Byrne, as well as each of the residents of the Fifth Ward of Philadelphia referred to above or their families.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the resolution as amended?

It was agreed to.

Ordered, that the resolution as amended lie over for printing.

RECONSIDERATION OF VOTE ON SENATE BILL NO. 583

Mr. PETROSKY. Mr. Speaker, I move that the vote by which Senate bill No. 583, printer's No. 660, entitled:

"An Act amending the act of May 27, 1949 (P. L. 190), entitled 'The Military Code of 1949,' removing the exemption of certain persons from jury duty."

was defeated on final passage Thursday, July 13, 1961, be reconsidered.

Mr. DOUGHERTY. Mr. Speaker, I second the motion.

The SPEAKER pro tempore. How did the gentleman from Westmoreland, Mr. Petrosky, vote on the final passage of this bill?

Mr. PETROSKY. Mr. Speaker, I voted with the prevailing side.

The SPEAKER pro tempore. How did the gentleman from Philadelphia, Mr. Dougherty, vote on the final passage of this bill?

Mr. DOUGHERTY. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED

Mr. McCANN. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

RECONSIDERATION OF VOTE ON SENATE BILL NO. 104

Mr. STANK. Mr. Speaker, I move that the vote by which Senate bill No. 104, printer's No. 1058, entitled:

"An Act amending the act of April 29, 1959 (P. L. 58), entitled 'The Vehicle Code' granting the power to the Secretary of Highways to establish speed limits."

was defeated on final passage Thursday, July 13, 1961, be reconsidered.

Mr. SCARCELLI. Mr. Speaker, I second the motion.

The SPEAKER pro tempore. How did the gentleman from Northumberland, Mr. Stank, vote on the final passage of this bill?

Mr. STANK. Mr. Speaker, I voted with the prevailing side.

The SPEAKER pro tempore. How did the gentleman from Philadelphia, Mr. Scarcelli, vote on the final passage of this bill?

Mr. SCARCELLI. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,
Shall the bill pass finally?

BILL POSTPONED

Mr. McCANN. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

TIME EXTENDED ON BILL

Mr. McCANN asked and obtained unanimous consent to extend the time five days on House bill No. 640 printer's No. 1345, on page 20 of today's calendar, bills on third reading postponed.

REPORTS FROM COMMITTEE

Mr. IRVIS from the Committee on Cities—Counties Second and Second Class A, reported as committed, House bill No. 1813, entitled:

An Act repealing section 663, act of March 10, 1949 (P. L. 30), known as the "Public School Code of 1949," abolishing the levy and assessment of per capita taxes by school districts of the first class having a population of less than one million, five hundred thousand persons; and providing for the collection of due and delinquent taxes.

Mr. M. H. GOLDSTEIN from the Committee on Cities—Counties Second and Second Class A, reported as amended, House bill No. 1814, entitled:

An Act imposing a tax for general public school purposes in school districts of the first class A on salaries,

wages, commissions and other compensation earned by residents thereof, and on the net profits earned from businesses, professions or other activities conducted by residents thereof; * * *.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1813, entitled:

An Act repealing section 663, act of March 10, 1949 (P. L. 30), known as the "Public School Code of 1949," abolishing the levy and assessment of per capita taxes by school districts of the first class having a population of less than one million, five hundred thousand persons; and providing for the collection of due and delinquent taxes.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

BILLS AND RESOLUTIONS PASSED OVER

Mr. McCANN. Mr. Speaker, I request that all other bills and resolutions on today's calendar not acted upon be passed over.

The SPEAKER pro tempore. The Chair hears no objection.

ADJOURNMENT

Mr. RILEY. Mr. Speaker, I move that this House do now adjourn until Tuesday, July 18, 1961, at 12 o'clock noon e. s. t.

The motion was agreed to, and (at 4:43 p. m., e. s. t.) the House adjourned.

Legislative Journal.

Session 1961.

145th of the General Assembly.

Vol. 38.

HARRISBURG, PA., TUESDAY, JULY 18, 1961.

No. 78.

SENATE

TUESDAY, JULY 18, 1961.

The Senate met at 12:00 noon, Eastern Standard Time.

The PRESIDENT, (Lieutenant Governor John Morgan Davis) in the Chair.

PRAYER

The Chaplain, Rev. Doctor RONALD E. YOUNGBLOOD, Assistant Professor of Old Testament, Bethel Theological Seminary, St. Paul, Minnesota, offered the following prayer:

Gracious God, our Heavenly Father, our thoughts are once again focused on Thee and on Thy purposes for this Assembly as we convene to consider legislative matters pertinent to the well-being of the people of Pennsylvania. In a spirit of dependence on Thee, we invoke Thy blessing on all who are here gathered in these Chambers.

We have been made aware of the fact that the needs of Thy people in this Commonwealth are considerable, and that the obstacles confronting the satisfaction of those needs are formidable. Nonetheless, we pray that Thou, O Lord, wilt imbue us with those qualities necessary to insure the implementation of essential legislation. Give us vision, for where there is no vision, the people perish, but temper it with realism. Grant us foresight, but balance it with due circumspection. To our sense of urgency, add a sense of responsibility. In our temptation to succumb to political expediences, remind us that we are men of conscience. Above all, endow us with mutual respect for one another, and help us to remember that, of whatever political stripe, we are all creatures of Thy wisdom, molded in Thine image.

Now as the participants in this Session press forward the time when they must adjourn, wilt Thou grant to them a sense of unusual accomplishment, together with the unmistakable feeling that they have successfully performed the tasks to which they originally set themselves.

In the Name of Christ, our Lord, we pray. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WEINER and Mr. LANE, further reading was dispensed with, and the Journal was approved.

NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

MEMBER OF THE BOARD OF TRUSTEES OF NANTICOKE STATE HOSPITAL

July 18, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Stanley Salva, 15 Market Street, Glen Lyon, Luzerne, County, for reappointment as a member of the Board of Trustees of Nanticoke State Hospital, until the third Tuesday of January 1965, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

July 18, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Patrick J. Crawford, 1 Monroe Street, Edinboro, Erie County, for appointment as Justice of the Peace in and for the Borough of Edinboro, Erie County, to serve until the first Monday of January 1962, to fill a vacancy.

DAVID L. LAWRENCE.

HOUSE MESSAGES

AMENDMENTS TO HOUSE BILLS, RECALLED FROM THE GOVERNOR

The Clerk of the House of Representatives being introduced, presented for concurrence, **HB 828** and **987**, said bills having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bills amended, in which amendments the concurrence of the Senate is requested.

The PRESIDENT. The bills, as amended, will be placed on the Calendar.

HOUSE CONCURS IN SENATE BILLS

He also returned to the Senate, **SB 491**, **539** and **540**, with the information that the House has passed the same without amendments.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence **HB 670**, which was referred to the Committee on Labor and Industry.

He also presented for concurrence **HB 1560**, which was referred to the Committee on Education.

He also presented for concurrence **HB 1774**, which was referred to the Committee on Elections.

He also presented for concurrence **HB 1811**, which was referred to the Committee on Insurance.

BILLS SIGNED

The President (Lieutenant Governor John Morgan Davis) in the presence of the Senate signed the following bills: **SB 100, 491, 539, and 540.**

REPORTS FROM COMMITTEES

Mr. HAYS, from the Select Committee on Education, reported, as committed, **SB 867.**

Mr. MADIGAN, from the Committee on Agriculture, reported, as committed, **SB 858 and HB 300**; as amended, **HB 337.**

BILLS INTRODUCED AND REFERRED

Messrs. WARE, LANE and BERGER presented to the Chair **SB 869**, entitled:

An Act amending the act of October 2, 1959 (P. L. 1251), entitled "An act relating to officers and employes of the General Assembly; fixing the number, qualifications, compensation, mileage and duties of the officers and employes of the Senate and of the House of Representatives; providing for their election or appointment, term of office, or of service, removal, and manner of filling vacancies; fixing the salary of the Director of the Legislative Reference Bureau; providing for compilation of lists of employes," further providing for the appointment of stenographers by the President pro tempore of the Senate.

Which was committed to the Committee on Rules.

Messrs. HAYS and WAGNER presented to the Chair **SB 870**, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," changing the manner of filling vacancies in the office of assistant county superintendent.

Which was committed to the Committee on Education.

Mr. KELLER presented to the Chair **SB 871**, entitled:

An Act amending the act of June 26, 1931 (P. L. 1379), entitled "Third Class County Board Assessment Law," requiring counties of the fifth class, advanced in classification to counties of the third class, to operate a tax assessment system and to continue a permanent system of records pursuant to "The Fourth to Eighth Class County Assessment Law."

Which was committed to the Committee on Local Government.

REPORTS FROM COMMITTEE

Mr. LANE, by unanimous consent, from the Committee on Rules, reported, as committed, **HB 1621 and 1652.**

RESOLUTIONS REPORTED FROM COMMITTEE

Mr. LANE, by unanimous consent, from the Committee

on Rules, reported without amendment, Senate Resolution, **Serial No. 81**, entitled:

Directing the Joint State Government Commission to Study Compulsive Disorders, Such as Alcoholism, Drug Addiction and Gambling.

The PRESIDENT. The resolution will be placed on the Calendar.

He also, by unanimous consent, from the Committee on Rules, reported without amendment, Senate Resolution, **Serial No. 86**, entitled:

Senate Committee to Investigate the Sale of Lands to Curtiss-Wright Corporation, Authorized by the Act of June 3, 1955.

The PRESIDENT. The resolution will be placed on the Calendar.

CALENDAR

BILLS ON CONCURRENCE IN HOUSE AMENDMENTS, OVER IN ORDER

SB 201 and 312—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

SB 455 (Pr. No. 968)—Mr. WEINER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 455.

Mr. LANE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILLS ON CONCURRENCE IN HOUSE AMENDMENTS, OVER IN ORDER

SB 472 and 525—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

SB 526 (Pr. No. 858)—Mr. WEINER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 526.

Mr. LANE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILLS ON FINAL PASSAGE CALENDAR, OVER IN ORDER

All bills on today's Final Passage Calendar were passed over in their order at the request of Mr. WEINER.

THIRD READING CALENDAR

BILL OVER IN ORDER

SB 23—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILL OVER IN ORDER TEMPORARILY

HB 53 (Pr. No. 1017)—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. BERGER. Mr. President, I request that House Bill No. 53, Printer's No. 1017, go over in its order.

The PRESIDENT. Is there objection?

Mr. WEINER. Mr. President, I must rise to object to this bill going over in its order because, I am advised, today is the last day for this bill to be passed and placed in the area whereby it can be advertised and subsequently properly appear on the ballot. If this does not happen today, it will make no difference whether we ever pass this measure.

I have a communication from the Bureau of Commissions and Elections, in the Department of State, which is charged with this matter. They have a number of matters which they want to advertise, and this is one of them.

I think we should vote on this bill. If it fails, I think we at least will have done our legislative duty. I would like to see it passed. I think it is a good measure and the kind of thing that we need.

I would respectfully ask my colleagues to vote on this matter today. It has been here for some time. It is a House Bill and I think we should pass it.

Mr. BERGER. Mr. President, in connection with this bill, I believe that the questions which we had upon it are well known. There is no dispute that some alleviation of residence requirements in Presidential years is desired

and desirable. However, the difficulty, Mr. President, has been to amend this bill so that electors could vote in Presidential years when they move from one part of the United States to another and still not vote on the local questions, which they might not be familiar with and probably would not be familiar with by that time.

For that reason, Mr. President, we have been endeavoring to get some amendments into this bill. Apparently, neither side has been able to come up with anything which would do the job. Consequently, Mr. President, we find the bill, in its present form, reducing the residence requirements for a voter in the Commonwealth to sixty days, is not at this time acceptable for the complete qualification of voters at all elections.

Mr. WEINER. Mr. President, as the gentleman well knows, this measure must not only go through this Session, but the following Session before we can even act on it. I would think the important factor in this measure is that we allow people as wide a latitude as we possibly can in their ability to vote, within the keeping of our law and in order that no fraud takes place. We should enfranchise rather than disenfranchise people from voting. I think this bill moves in that direction.

Because today is the last day for voting on this measure, I think we certainly should at least address ourselves to this problem. If, in the wisdom of this Body, we see fit not to act on this measure or seek to defeat it, that is one area. If we see fit to act on it, I think we should do it as expeditiously as possible so it can be properly advertised and reappear again next year.

Mr. BERGER. Mr. President, if I correctly understood the Majority Leader in his last statement, this must pass a succeeding Session of the Legislature. Is that what the gentleman said?

Mr. WEINER. That is correct, Mr. President.

Mr. BERGER. That being the case, Mr. President, I know of no requirement that it must be advertised before it has passed two successive Sessions of the Legislature.

Mr. WEINER. Mr. President, I hate to differ with my colleague, but I have a letter here from the Department of State. I will be very happy to transmit it to the gentleman. It reads as follows:

"My purpose in again calling this to your attention is because we are holding up preparation and distribution of newspaper mats for publishing such proposed amendments, as required by Article XVIII of the Constitution.

"Usually, we have had July 1st as a deadline, but the agency which handles the mechanical details has agreed that it can manage to still include this one Resolution if it is approved no later than today.

"This is an important proposal which would do much to curtail the widespread complaints about the disenfranchisement of voters, especially in Presidential elections."

I would like to add, Mr. President, that it must be advertised twice. It must be advertised once when it goes through, and then it must be advertised again after it passes the Legislature and before it appears on the ballot for the consideration of the electorate to amend our Constitution. In order to properly do this thing, this advertising must be included. It must be in proper form and must be done on a certain number of days and within a certain time limit, as set up by the Constitution.

Mr. BERGER. Mr. President, I accept the ruling of the Department of State.

The PRESIDENT. I was wondering, Senator Berger, whether you wanted to review the letter and have the bill go over in order temporarily, until you had reviewed the letter.

Mr. BERGER. Yes, I would like to have that letter, Mr. President.

Mr. BELL. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Weiner.

The PRESIDENT. Would you like to interrogate the gentleman from Philadelphia, Mr. Weiner, before or after the Minority Leader reads the letter?

Mr. BELL. I think this will clear up the entire matter.

The PRESIDENT. Thank you. Will the gentleman from Philadelphia, Mr. Weiner, permit himself to be interrogated?

Mr. WEINER. I will, Mr. President.

Mr. BELL. Mr. President, is the context of this letter that an amendment to the Constitution can be passed in this Session, this year, and then passed during our Session next year in order to get it on the ballot?

Mr. WEINER. I am sorry, Mr. President, I do not understand the gentleman's question.

Mr. BELL. I will rephrase my question, Mr. President.

It is my understanding that to amend the Constitution of Pennsylvania, this has to pass this Session and we have to have an intervening General Election, at which a Legislature is chosen, and then be presented to another Session. Is the context of this letter to the effect that you have to advertise now because they are treating the Fiscal Session as the second Session?

Mr. WEINER. Mr. President, it is my understanding, under the resolution which was passed during the last Session, which was the first time we had a Fiscal Session, this was among the things that can be taken up. I do not want to burden the record with the list of things. However, it would allow us to pass on matters which amend the Constitution and bring them before the electorate. Therefore, the proposal contained in this bill would have to be advertised. If we pass it this year, we could pass it again next Session—which will be a Fiscal Session and which could also deal with a constitutional problem—advertise it then, and place it on the ballot.

Mr. BELL. Mr. President, I call the Majority Leader's attention to Article XVIII of the Constitution and suggest he repeat it before going further into this matter.

Mr. SESLER. Mr. President, in regard to Article XVIII of the Constitution, it provides as follows:

"... the same to be published three months before the next general election, in at least two newspapers in every county in which such newspapers shall be published; and if, in the General Assembly next afterwards chosen, such proposed amendment or amendments shall be agreed to by a majority of the members elected to each House, the Secretary of the Commonwealth shall cause the same again to be published in the manner aforesaid; . . ."

Mr. WEINER. Mr. President, I believe the reading of Article XVIII of the Constitution bears out what I have just said. It states there shall be two publications, once after each time an Act is passed. It is stated very clearly in Section 1, of Article XVIII of the Constitution, which deals with future amendments. I believe Senator Sesler

read it absolutely correctly and probably a lot better than I could have read it.

Therefore, I am going to yield to the remarks made by him on the record, which would bear out what I believe I have just stated. If I am incorrect on that, I wish the gentleman would correct me.

Mr. BELL. Mr. President, I think if this Section is carefully read, you will see there is required to be an intervening General Election, at which General Election a General Assembly is chosen. In other words, an election is required when the House of Representatives and half of the Senators are chosen. This General Election, this fall, is not the type of election which is under consideration in Article XVIII of the Constitution. In other words, to amend the Constitution, the amendment must pass one Session, there must be an intervening legislative election, and then the amendment must pass a second Session.

Mr. WEINER. Mr. President, I believe the gentleman is belaboring a point which I think is perfectly clear. Article XVIII of the Constitution cannot be read just by itself. In the meantime, we have amended the Constitution whereby we now have yearly Sessions. Article XVIII of the Constitution reads, in part, as follows:

"... three months before the next general election, in at least two newspapers in every county in which such newspapers shall be published; and if, in the General Assembly next afterwards chosen, such proposed amendment or amendments shall be agreed to by a majority . . ."—and so on and so forth.

Now in the intervening time since Article XVIII was originally written into the Constitution in 1874, in 1959 or 1960, I believe we agreed to have Annual Sessions dealing with fiscal matters. Along with that, the leadership on both sides passed a general resolution which permitted us to also take up this problem. We are saying that you must read Article XVIII of the Constitution in conjunction with the other amendment as we passed it.

Mr. BELL. Mr. President, I am not going to ask for a point of order on this question. However, I have in my possession a copy of the Constitution. It is very clear and I do not concur with the Majority Leader's reasoning. I do not concur with the Secretary of the Commonwealth's letter. I do not think either one of them has the authority to change this Constitution. I think the matter of our having to rush this thing through today is immaterial and entirely moot.

Mr. WEINER. Mr. President, I desire to interrogate the gentleman from Delaware, Senator Bell.

The PRESIDENT. Will the gentleman from Delaware, Mr. Bell, permit himself to be interrogated?

Mr. BELL. Absolutely, Mr. President.

Mr. WEINER. Mr. President, it is the opinion of the gentleman that if this matter is left unsettled, then the best way to handle it is by doing nothing?

Mr. BELL. Mr. President, I do not think that question is germane. I am discussing Article XVIII of the Constitution. To me and to the people of Pennsylvania, the interpretation of this Article has been that to amend the Constitution, an amendment has to pass one Session of the General Assembly. Then we must have an intervening General Election, at which a House of Representatives is chosen and one-half of the Senators, and then it comes back to us for the second run. It does not provide in this

Article that the intervening General Election should be one at which municipal officers are elected.

Mr. WEINER. Mr. President, will the gentleman allow himself to be further interrogated?

Mr. BELL. I will, Mr. President, if it is germane.

Mr. WEINER. Mr. President, if we do not act on this measure at this time, then does the gentleman say that we will not have to act on it until two years from now?

Mr. BELL. It is my interpretation that if we pass this amendment at this Session, then, before we act on it again, if we pass it in 1961, it will have to be passed again in 1963. You cannot pass it in 1961 and pass it in 1962, and then have it go to the electorate.

Mr. WEINER. Mr. President, let me ask my question in another way. Suppose we do not take any action on this bill, which seems to be the area into which we are heading. Is it the gentleman's opinion that we cannot do anything on this until 1963?

Mr. BELL. No, that is not what I said.

Right now the issue is that we must have a hurry-up, rush job because the Secretary of the Commonwealth has sent you a letter.

I say that we should study this bill. We should then have it written the way we want to have it written and then vote on it. I think that is the only issue before he Senate today.

Mr. WEINER. Mr. President, I want to thank the gentleman.

I would also like to point out that this measure was introduced on anuary 17, 1961, in the House. It came to the Senate on April 4, 1961. It came out on the Calendar on June 13, 1961. Today is July 18, 1961. I certainly fail to see where this would be a hurried matter, or something upon which we cannot decide. It is a measure that took place just last week. This matter has been on the Calendar for quite some time. As a matter of fact, it passed Second Reading here on July 6, 1961. With that before us, I certainly fail to see where we are hurrying or rushing or trying to reach some sort of a fast conclusion.

This is a very short bill. It consists altogether of seventeen lines on one page and four or five lines on another page. I do not think it would take a great deal of thinking or a great deal of working in order to pass or deal with this measure. I am not urging you to even vote for it, but I think we certainly should address ourselves to it and take some action. If we delay taking action on it, it may be absolutely a useless act that we are performing, because it will be too late and our action will be absolutely meaningless.

Mr. BELL. Mr. President, in defense of my position, I am questioning the propriety and the accuracy of the letter which was produced by the Majority Leader. I do not think its contents are in accordance with the Constitution of Pennsylvania.

Speaking further, as to the chronological timetable, whether this amendment is passed in the 1961 Session or the 1962 Session, it cannot go to the people prior to the termination of the 1963 Session or, rather, the General Election which will be held after that Session. That is the fact; that is the Constitution. I think, instead of listening to a letter which came over from some bureau or another, we should carefully examine the merits of this constitutional amendment. I might surprise the gentleman from Philadelphia by voting for it.

Mr. WEINER. Mr. President, that would not come as a surprise to me at all. I would expect the gentleman to vote for this type of good legislation.

However, I would like to just point out one other factor. The Constituion does say that every time we vote on an amendment, it must be advertised. It very clearly states that it must be done three months before November. If we do not pass this legislation today, I fail to see how it can possibly be properly advertised before November. Whether we do it today, next year, six or ten years from now—I am willing to concede that perhaps the gentleman might even be right. If we do not take action today, it will be five years longer before we can act on it. Actually, it will be seven years before this matter will ever come before us. If we act on it today, it will take approximately, if the gentleman is correct, five years before this matter can be acted on by the people. If we do not act on it today, we are merely delaying it by an additional two years, assuming that the gentleman's position is well taken. That will make it seven years.

I think this is something on which the General Assembly should act, one way or another. The House has seen fit to take some action and I think we should do likewise.

Mr. SESLER. Mr. President, I do not know whether the remarks were germane simply to the procedural matter at hand or to the substantive merits of the bill. However, since the Minority Leader has seen fit to comment on the merits of the amendment itself, I would like to also comment on that. Without taking a position in regard to the correctness of the Secretary of the Commonwealth's opinion, I believe there is some merit in the remarks made by my colleague from Delaware County. Nevertheless, if we refuse to act during this Session, we will delay the enactment of what I consider to be one of the best pieces of legislation I have seen in a somewhat disturbed Session. I feel very sincerely that the denial of the franchise for technical reasons leads and promotes a type of government which is inimical to the best interest of the Commonwealth of Pennsylvania.

I feel the only objection which has been presented here by the Minority Leader has been that of a question of whether or not people would be informed primarily on local issues. To me, the possible evil which might exist from such a point, as compared to the disenfranchisement of people, the large majority of whom are well informed, is a greater evil.

I would think this is not a political bill. For one thing, a great many of the people who are moving from State to State are in the executive or managerial classes, and often tend to be members of the Republican Party more often than the Democratic Party. I do not think you can say that this bill is promoting one political party or another. However, it is concerned with a basic tenet; namely, whether or not we are going to extend the franchise and liberalize it in this Country which has, unfortunately, a deplorable percentage of its registered voters voting. This liberalizes it and it helps to promote interest. I have had people come to me and say that they were discouraged by the fact that they were not permitted to vote in this past Presidential election, for example, because they had not lived in this Commonwealth long enough.

I think this amendment provides a sufficient residence requirement and I think it provides sufficient time to pre-

vent fraud, for example, occurring. Therefore, I would also seriously like to add my voice to its consideration by the Senate at this time.

Mr. BERGER. Mr. President, I would also like to point out to the Members of the Senate that if—and I believe the gentleman is correct—we are permitted to deal with constitutional amendments during the coming Fiscal Session, and the purpose of this bill is primarily to permit electors moving from one State to another to vote in presidential elections, that point will be well covered for the reason that the amendment can be passed in the 1962 Fiscal Session, and without question can then be passed again in the 1963 Session and placed upon the ballot that fall. Consequently, Mr. President, the need for haste in this matter is not apparent to me, at least in so far as increasing the percentage of voters who might go to the polls. I agree that we do have a deplorable percentage of eligible voters going to the polls. However, the number which this bill would increase would not have any material effect upon the percentage of people who exercise their franchise and who are permitted to do so without any question.

However, Mr. President, there remains the fact that each State is the arbiter of the qualifications of the voters. Consequently, before passing such a measure, we should be well informed and should work out as clearly as possible the exact qualifications as to residence which our voters should obtain before casting a ballot.

Mr. President, this measure can be passed if the Majority Leader is correct—and I am not prepared to dispute him—in the Session of 1962 and, subsequently, in the Session of 1963, covering both the objections of Senator Bell and myself.

Mr. SESLER. Mr. President, I would like to add one point to the discussion and the remarks of the Majority Leader, and that is that the restrictions which were placed in this Constitution were placed in a different era. Today, we live in an era of mobile people. The people of America are probably the most mobile of any country in the world. We possess great roads and automobiles, and many people actually live in trailers and move around. We also have a large body of people in the managerial class who are moved from State to State by their companies constantly.

We must, along with many other provisions of this Constitution, redact and remold this provision in terms of the needs of today.

Mr. WEINER. Mr. President, there is just one thing I want to add. I have no objection to what the Minority Leader stated. However, unfortunately, the make-up of this Body will be the same next year as it is today, and if something were going to take place in the meantime that might change the make-up of this group so that we would have to deal with this problem in a different manner than we are doing today, I would say maybe that is something to be considered. Actually, everybody that is here today I hope will be here next year. These same people, with the same problems and maybe the same prejudice against this matter or the same feeling in favor of it, will all be here then. I would say that maybe this is the time to deal with the problem. If a short recess will help, I will be glad to request a recess and discuss this with some of the men who may be against this measure and perhaps we can iron out some of their problems.

Actually, I think we ought to vote on this thing and, in one way or another, bring it to a head and be done with it.

Mr. BERGER. Mr. President, I think the gentleman possibly assumes too much knowledge as to what the result of this vote might be in 1962, or even this afternoon. He apparently has placed the Members of our Republican Caucus on the negative side, and I am not prepared to agree with him.

As a matter of fact, I strongly advocated some change in the residence qualifications of voters in Presidential elections, because many people, as everybody knows, are disenfranchised by reason of the fact that they must move from one section of the Country to another and cannot be there the requisite length of time, whether it is in Pennsylvania or in another State.

I believe some change should be made in that respect. What I would like to do with this measure is to try to get it in shape so this condition can be overcome.

However, Mr. President, as to the gentleman's suggestion, it might be possible even to make some change in this bill, although I do not quite see how the House could agree to an amendment and still get it advertised according to the letter from the Department of State.

In the present form of the bill, there may be votes on this side. I do not know. On the other hand, Mr. President, if not, then the gentleman is not accomplishing anything by insisting that it go to a vote.

Mr. WEINER. Mr. President, as the maiden said to the reluctant suitor: "Let's try it."

I believe if the bill does not have merit and it fails, we have done our duty. If it passes and goes through, then I think we will have been recorded.

I am not of the impression which you indicated, Senator. I hope that I have not given that impression and if I have, I want the record to be correct. I feel there are a lot of gentlemen on both sides of the aisle who feel strongly for this measure, just as I feel there are many who might be absolutely opposed to it. I would like to give the bill one run through, and if it goes down that will be it.

The PRESIDENT. Objection has been raised to this bill going over in its order.

Mr. BERGER. Mr. President, I now move that House Bill No. 53, Printer's No. 1017, go over in order.

Mr. PECHAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. WEINER. Mr. President, I object to this measure going over in order, and ask that it be brought to a vote. I also ask my colleagues to oppose this motion that the bill go over in its order.

Mr. BERGER. Mr. President, I ask for a roll call.

Mr. WEINER. Mr. President, may we be at ease a moment?

The PRESIDENT. The Senate will be at ease.

(The Senate was at ease.)

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. BERGER and were as follows, viz:

YEAS—23

Bell,	Hawbaker,	Pechan,	Van Sant,
Berger,	Keller,	Probert,	Wade,
Chapman,	Kessler,	Scott,	Wagner,
Confair,	Kromer,	Shafer,	Ware, III,
Flack,	Madigan,	Stevenson,	Wolfe,
Fleming,	Mallery,	Stroup,	

NAYS—24

Camel,	Kalman,	Mullin,	Seyler,
Devlin,	Lane,	Murray,	Silvert,
DiSilvestro,	Mahady,	Ripp,	Stalsey,
Donolow,	McGinnis,	Rooney,	Stiefel,
Haluska,	McMenamin,	Sarraf,	Weiner,
Hays,	Miller,	Sesler,	Yatron,

So the question was determined in the negative, and the motion was defeated.

And the question recurring,

Will the Senate agree to te bill on third reading?

Mr. WEINER. Mr President, I am perfectly willing to have House Bill No. 53 go over in its order at this time until we can work out whatever problem exists, if we can possibly work it out. The most important thing is that we pass this measure today.

Therefore, Mr. President, I request that House Bill No. 53 go over in its order temporarily.

The PRESIDENT. There being no objection, the bill will go over in its order, temporarily.

BILLS OVER IN ORDER

HB 67—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

HB 95—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILL ON THIRD READING, DEFEATED ON FINAL PASSAGE

HB 107 (Pr. No. 1825)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

Mr. WEINER. Mr. President, this is a measure which allows any employer who has fifty or more employees to give remuneration to those people who serve on jury duty. As you well realize, one of the duties which falls upon a citizen in a Democracy is to serve as a juror, which is a person who sits and hears the facts and brings back to the judge what these facts indicate.

Many people have shunted this duty and many people have avoided it on the basis that they cannot earn enough serving as jurors while losing time from work. Therefore, we are asking the employer to augment the juror's pay. For example, if the jury duty pays twelve dollars and a man would ordinarily earn fourteen dollars for that day, the employer would give him two dollars per day for the days he serves on jury duty.

I, therefore, respectfully ask my colleagues to vote "aye" on this measure.

Mr. BERGER. Mr. President, while opposing this bill, I would like to observe, in connection therewith, that I can see no difference between the economic loss of a person who happens to be a member of a labor force of forty-nine persons and one who happens to be a member of a labor force of fifty persons. Just why it would be more beneficial economically to the person who is em-

ployed in a plant which only employs forty-nine people to go on jury duty than it would to one who works in a plant with fifty people seems rather obscure.

Mr. President, certainly in a democracy one of the privileges that our people have is the privilege of serving upon juries. I doubt very much, except in very rare cases, whether anyone who is called to jury duty and serves for a period of two weeks, three weeks or one week, as the case may be, does undergo some economic loss, or certainly some great inconvenience in his own personal affairs. Nevertheless, he is performing a service which he is obligated to do under our Constitution, and I see no reason why one person should be compensated more than another in the performance of such duty.

Mr. BELL. Mr. President, I would like to correct the Majority Leader's statement. He said words to this effect: This bill would allow an employer to reimburse those employees. This is not a "may" bill. This bill says the employer "shall." There is an awful lot of difference between "allow" and "shall".

Secondly, I think this is attacking in entirely the wrong way a problem which faces the Commonwealth. The people of our Commonwealth, who serve on juries, are not paid sufficient money. They do not receive sufficient reimbursement for their duties as jurors. This approach is hitting the employers of fifty or more people over the head to make up for the deficiency that we, the Legislators, do not have the courage to face.

I ask that we vote against this bill.

And the question recurring,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. WEINER. Mr. President, may we be at ease a moment?

The PRESIDENT. The Senate will be at ease.

(The Senate was at ease.)

Mr. LANE. Mr. President, I desire to change my vote from "aye" to "no."

The PRESIDENT. The gentleman will be so recorded.

Mr. WEINER. Mr. President, I desire to change my vote from "aye" to "no."

The PRESIDENT. The gentleman will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—21

Camel,	Kalman,	Murray,	Seyler,
Devlin,	Mahady,	Ripp,	Silvert,
DiSilvestro,	McGinnis,	Rooney,	Stalsey,
Donolow,	Miller,	Sarraf,	Stiefel,
Haluska,	Mullin,	Sesler,	Yatron,
Hays,			

NAYS—26

Bell,	Keller,	Pechan,	Van Sant,
Berger,	Kessler,	Probert,	Wade,
Chapman,	Kromer,	Scott,	Wagner,
Confair,	Lane,	Shafer,	Ware, III,
Flack,	Madigan,	Stevenson,	Weiner,
Fleming,	Mallery,	Stroup,	Wolfe,
Hawbaker,	McMenamin,		

Less than a majority of all the Senators having voted "aye," the question was determined in the negative, and the bill was defeated.

BILL OVER IN ORDER

SB 196—Without objection, the bill was passed over in its order at the request of Mr. SEYLER.

BILL ON THIRD READING, DEFEATED ON FINAL
PASSAGE

HB 257 (Pr. No. 2460)—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. WEINER. Mr. President, the purpose of this measure is primarily to prevent people who are professional strikebreakers from entering into a labor dispute. This measure has been needed for some time. I believe part of the problem that exists between management and labor is based a great deal on bringing in people who have no interest in the controversy and who do nothing but add confusion and cause what is known as a riot. This brings other prohibitions and other problems into a situation where there is some area for the amelioration of the problem; perhaps mitigation of the issues and a possible opportunity for the parties to get together.

It is interesting to note the people who have taken positions on this measure. I think this also points out how necessary it is that we have this legislation.

I think this Country has come to the place where the professional strikebreaker is no longer a part of the scene and he should not participate where people are having a problem.

This is very similar to the situation where two men are arguing or disputing, and a third person is sitting on the sideline saying: "You get him. I will hold your coat," which only leaves the two people fighting and the third party walking away unhurt and unscathed.

I, therefore, ask my colleagues to vote "aye" on House Bill No. 257.

Mr. BERGER. Mr. President, may I interrogate the Majority Leader?

The PRESIDENT. Will the Majority Leader permit himself to be interrogated?

Mr. WEINER. I will allow myself to be interrogated, Mr. President.

Mr. BERGER. Just one question, Mr. President.

Would you regard a person, who is already employed at the plant in which a labor dispute exists, as being a strikebreaker if he continues to work?

Mr. WEINER. Mr. President, I would say no.

Mr. BERGER. Thank you, Mr. President.

Mr. President, this bill does not relate to strikebreakers. It says where a labor dispute is in existence at the plant or the place of employment.

Mr. President, "labor dispute" may cover a great area. It does not mean that the plant employees are out on strike in that place. It means there is some dispute over labor conditions or possibly contractual matters which would not necessarily involve a strike at the plant.

Consequently, Mr. President, I believe this bill is far too broad, and would ask my colleagues to vote "no."

Mr. WEINER. Mr. President, what the gentleman says is true as far as he goes. However, I believe if you will look at page 2, Section 1, of the bill, which begins, "It shall be unlawful . . .", you will see that it names the people whom it covers. The bill further states:

" . . . or agent thereof knowingly to recruit procure supply or refer any person who customarily and

repeatedly offers himself for employment in place of employes involved in a labor dispute . . ."

Then it goes on in quite some detail. The title of the bill also states:

" . . . the employment of professional strikebreakers in place of employes involved in a labor dispute . . ."

I think it is pretty clear. I think it spells out what the problem is. As I stated earlier,—and I do not want to be redundant—we have arrived at a place of maturity I think in this country in employment and labor and management relations so that we do not have to get into this type of situation. Those days have long since passed from our scene.

Mr. BERGER. Mr. President, I do not read into this bill the limitation that the person who customarily and repeatedly offers himself for employment in a place where there is a labor dispute is a strikebreaker. A person might be offering himself repeatedly and customarily for employment at that plant. He is not necessarily a strikebreaker. He probably is not a strikebreaker, but wants to be hired.

Consequently, Mr. President, I still believe the language in this bill is far too broad when they say simply "labor dispute". For that reason, Mr. President, I would continue to ask my colleagues to vote "no".

Mr. WEINER. Mr. President, I would just like to point out the differentiation. If there is just merely a labor dispute, there is no reason to hire anybody. Where you have a strike, that means there is someone or some people not working. Therefore, you are going to go out and hire somebody to take their place. The man who comes down and gets an occasional job when this is going on certainly is not in the category of a professional strikebreaker. I do not think this bill indicates that.

However, I think where you do have a person who habitually and customarily holds himself out and is the type of person who arrives on the scene when there is a strike, regardless of whether he might be qualified for this type of work, this person is characterized as a strikebreaker and in that regard is covered by this measure. That type of person does not belong in this type of situation where he can cause trouble.

And the question recurring,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. WOLFE. Mr. President, I desire to be recorded as voting "no."

The PRESIDENT. The gentleman will be so recorded.

Mr. WEINER. Mr. President, I desire to change my vote from "aye" to "no."

The PRESIDENT. The gentleman will be so recorded.

Mr. LANE. Mr. President, I desire to change my vote from "aye" to "no."

The PRESIDENT. The gentleman will be so recorded.

Mr. SEYLER. Mr. President, I desire to change my vote from "aye" to "no."

The PRESIDENT. The gentleman will be so recorded.

Mr. PECHAN. Mr. President, I wonder if we could change the rules. On every bill that is defeated, why could we not just automatically give it a second run and then we would not have to go through all of this procedure?

It seems they change their votes on every bill that is defeated and not because of having voted under a misapprehension. Therefore, to save time, we could just automatically put every bill which is defeated on the Calendar. It would save all of this time and confusion.

The PRESIDENT. Are you making that in the form of a motion, Senator Pechan?

Mr. PECHAN. A suggestion, Mr. President.

The PRESIDENT. Thank you.

Mr. WEINER. Mr. President, I know how we can even avoid that. If the gentleman will just vote "aye" with us, we will not have this trouble.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—21

Camiel,	Kalman,	Mullin,	Sesler,
Devlin,	Mahady,	Murray,	Silvert,
DiSilvestro,	McGinnis,	Ripp,	Stalsey,
Donolow,	McMenamin,	Rooney,	Stiefel,
Haluska,	Miller,	Sarra,	Yatron,
Hays,			

NAYS—26

Bell,	Keller,	Propert,	Van Sant,
Berger,	Kessler,	Scott,	Wade,
Chapman,	Kromer,	Seyler,	Wagner,
Confair,	Lane,	Shafer,	Ware, III,
Flack,	Madigan,	Stevenson,	Welner,
Fleming,	Mallery,	Stroup,	Wolfe,
Hawbaker,	Pechan,		

Less than a majority of all the Senators having voted "aye," the question was determined in the negative, and the bill was defeated.

SB 198 CALLED UP

SB 198 (Pr. No. 204)—Without objection, the bill, which previously went over in its order, was called up, from page 2 of the Final Passage Calendar, by Mr. WEINER.

BILL ON FINAL PASSAGE DEFEATED

SB 198 (Pr. No. 204)—And the amendments made there-to having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. SEYLER. Mr. President, this bill is concerned with a very important problem in the Commonwealth; a problem for which the Commonwealth began to provide a solution during the Administration of Governor Fine. At that time, the Governor appointed a Committee on Migrant Labor, and that committee has been operating through three Administrations—Governor Fine's, Governor Leader's and Governor Lawrence's. This committee has never had the legal status which would enable it to continue regardless of change of Administration.

The purpose of this bill is to enshrine that committee, which has done an excellent job on the subject of migrant workers, into law.

On this committee, Mr. President, there have been represented many groups who have been very much interested in the welfare of the migrant laborers who come into our Commonwealth to assist in the harvesting of our crops. Under the work of this committee, great strides have been made in so far as health, morals, education and many other areas relating to the welfare of these migrants.

I think it is important that we should recognize the status of this committee and the work that it has done by

giving it legal status. The committee would not be materially changed. There would be some additions, but it would, in general, incorporate representatives of the various departments of government which cooperate in doing this job, and would also include members of the general public who are interested in assisting in doing the same job.

For these reasons, Mr. President, I would hope that all of my colleagues would give serious consideration to this problem. I hope they will give their support to making this committee a committee with legal status in our government.

Mr. HAWBAKER. Mr. President, I must disagree with my distinguished colleague from York County. Unlike Senator Seyler, I happen to be in the position of knowing something about this problem. It just so happens that I served for a number of years on the Board of Directors of the Pennsylvania Farm Service Association, which is a subsidiary of the Pennsylvania Farmers' Association, set up for the express purpose of recruiting, transporting and making available to farmers migrant laborers. Therefore, I think I can speak with a little bit of authority on the migrant labor situation in Pennsylvania.

I have had considerable experience with the mess that the Department of Labor and Industry has made of the migrant labor situation under the committee to which the Senator referred.

First of all, I would like to read to you a clipping which appeared in one of our local papers just recently that indicates just what a mess we have made in this field:

"A recent release from the United States Department of Agriculture indicates a sharp reduction in prospective tomato acreage for 1961 in the northeastern tomato-growing States (New York, New Jersey, Pennsylvania, Delaware and Maryland) compared to the ten-year average (1950-59): 49,100 acres vs. 83,930 acres, . . .

"The situation in Pennsylvania runs almost parallel with 12,000 acres indicated for 1961 compared to the ten-year average of 21,900 . . .

"Processors and marketers of canned tomato products are probing for reasons for the shrinking acreage since the public demand for these products, especially tomato juice, shows a marked year to year increase.

"There is agreement, generally, that growers are reluctant to sign for acreage because of uncertainty in the labor supply. Adverse publicity on migratory labor and scores of new bills on farm labor in State Legislatures and on a Federal level have aggravated the problem.

"The confused labor situation is one of the driving forces spurring on the intensified work on automated harvesting and handling of tomatoes. Machines developed by two experimental stations, in cooperation with equipment manufacturers, were tried last year. A seed company and at least one canner have developed harvesters . . ."

Mr. President, if we are actually concerned about the welfare of the migrant, I should think we would be concerned in curtailing the operation of this committee, which has succeeded in the past in fouling up the works.

I understand that when a similar bill was before the Legislature a few years ago, quite a few pictures were distributed among the Members at that time, showing what was reported to be some very poor housing conditions and various other things.

I would like to refer the Members of this Body to a

situation that exists in Cumberland County, in a little town called Newville, where only a few years ago we had a very successful canning factory in operation, giving employment to scores of Cumberland County people and providing an outlet for hundreds of acres of vegetables and various products that were canned in that establishment.

If you were to go to the town of Newville this afternoon, you would find there the rusting remains of what was once a thriving industry. The people of Newville look upon this building as a monument to the achievements of one William L. Batt, Jr., former Secretary of Labor and Industry. The people who were once gainfully employed in this thriving industry have now been relieved of their labors and are enjoying the blessings of public assistance. If this is what the gentleman refers to as progress, then there is something wrong with my vocabulary.

I do not feel that any further interference in this field is justified by any stretch of the imagination. What most people in this Body and throughout the State do not realize is that agriculture is an industry unlike any other, and it does not lend itself to a lot of bureaucratic rules and regulations. This business of agriculture is temperamental. It is influenced by weather conditions, crop conditions and a host of others. Certainly, the people who are familiar with industry and industrial and labor problems, as a whole, are not capable of coping with this situation.

This bill, I feel, is definitely designed to be a deterrent to the healthful atmosphere in agriculture generally.

I can cite more and more instances of abuses by the department, some bordering on the ridiculous. In fact, most of them are ridiculous. I know of instances where the department has insisted, for example, that the farmer provide hot and cold running water for the migrants when he and his family did not have indoor plumbing themselves. Many farmers installed hot and cold running water for the migrants, and they became the only people to take showers.

I can cite another example in Adams County where a farmer and his family were drinking water from a spring for generations. They had a tenant house on the farm and when they employed one migrant family to live in the tenant house, all was well and good. However, when he put up a small barracks and employed five more migrants, then the spring became unfit for human consumption, and he was required to provide water-conditioning facilities for those five migrants.

This sort of thing is absolutely ridiculous and is an indication of what these bureaucrats in the Department of Labor and Industry are trying to force on the industry. The result of it all has been the closing of our canning factories in the State of Pennsylvania and a vast decline in the tomato acreage and various other vegetable crops. This, as I have already indicated, can hardly be construed as progress.

I can see no justification for any further interference in this field by any bureaucratic agency. Therefore, I would urge the gentlemen in this Body to defeat this bill soundly.

Mr. SEYLER. Mr. President, just to reply to the gentleman, it seems to me rather farfetched to refer to the demise of any given cannery, or canneries, as a result of the operation of this committee in trying to see to it that

the migrant workers who are brought into this Commonwealth have a decent way of living.

The gentleman well knows that the decline in various agricultural enterprises in this Commonwealth has a host of factors involved. As a matter of fact, the continuation of having an adequate supply of migrant labor depends upon Pennsylvania's providing reasonable working conditions for these migrant workers. The Federal Department of Labor, under the last Administration and under this Administration, is unwilling to act as an agent in this matter unless they are assured there will be decent working conditions.

The gentleman referred to pictures that were shown earlier. I am sorry the gentleman was not here at the time in order to have the advantage of seeing them. Pictures certainly do not lie. The pictures showed that prior to the activities of this committee, very unfit types of habitation were provided for migrant workers in Pennsylvania, not by all of the people who employed migrant workers, but by some.

We saw evidence that boxcars were remodeled into housing and that former hogpens were remodeled into housing. The fact that we do not have these conditions today is evidence of the fact that the committee has done a good job.

I think many of you are familiar with a television program which recently was a feature of the CBS television network. As I recall, the name of the program was "Harvest of Shame." This portrayed conditions which still obtain in some parts of America, and the fact that Pennsylvania did not come under the same sort of shameful criticism which that program led to throughout our Country is due to the fact that we have had the vision to provide a committee that would oversee the employment of these migrant workers and see that they were treated as human beings and not as cattle or some subhuman type of worker. I think there is no doubt that this committee has done a good job.

I would like to point out to the gentleman, in reply to his statement that this bill would in some way increase the problem, that it would not do anything and would not give any powers or authorities which are not now enjoyed by this committee. It would simply make this committee a legal committee, established by law, rather than a committee which is appointed by action of the Executive Department. It would give it legislative status. It would not change the powers, duties, responsibilities or activities of the committee.

For that reason, if we do agree that the committee has done a good job, or if we do not agree that the committee has done a good job, this bill in no wise would change the impact of the committee. It would simply extend it and allow it to continue with legal status.

Therefore, I feel this would be a constructive piece of legislation and would be further placing Pennsylvania in the forefront of the States which take a humanitarian attitude toward the migrant laborers that we bring from the South or from other countries into our Commonwealth to help us with the job of harvesting our crops.

The PRESIDENT. The Chair now turns the gavel over to the distinguished gentleman from Centre, Senator Hays, to preside.

The PRESIDING OFFICER (Jo Hays) in the Chair.

Mr. HAWBAKER. Mr. President, I would just like to

say in connection with the fact that pictures do not lie that there are, however, plenty of liars running around with cameras, and plenty of liars who write captions under pictures.

The Senator referred to the fact that pigpens had been converted into dwelling units for migrant workers. This is absolutely true. However, I would remind the gentleman that one of the finest eating places in this part of Pennsylvania only a few years ago was a barn that housed not only hogs, but also cattle and horses, and I personally was in that barn when the floor was covered with manure three feet deep at the same spot where there is now carpeting three inches thick. Any inference that just because a building once housed hogs, it could in no way be made livable for human beings is wholly inaccurate.

Of course we have, on many of our fruit farms, buildings that once were used for hogs, and because of the fact that hogs are no longer a part of the farming operation,—the farmer having since planted the fruit—these buildings, while structurally solid, are of no use. The same thing applies to chicken houses. These buildings have been converted. However, just because they once housed livestock does not mean they could not be converted and made quite livable.

With regard to the department getting into the business of making labor available and assisting farmers in the recruitment of labor, this is just another instance of governmental bureaus insisting that they must do things for people which people are quite capable of doing for themselves.

As I have already indicated, the farmers of Pennsylvania have set up for themselves an organization which has been doing this job quite adequately. The Farm Service Association goes every year to Puerto Rico and recruits laborers and makes these men available to any farmer in Pennsylvania who needs them, without a cent of expenditure on the part of the taxpayers.

Now the Department of Labor and Industry insists that this should be a function of the department, at taxpayers' expense, and I am not one to agree with that assumption. I insist that as long as people can provide these services for themselves, and as long as they are doing it for themselves and doing it fairly and adequately, then certainly we should not be committing a department of government to do this work at taxpayers' expense.

With regard to improper facilities for migrant workers, I would inform the gentleman that under the arrangement that we have of disseminating these workers, they are guaranteed so many weeks of work with a guaranteed minimum wage and a guaranteed summer's income. When any worker who is assigned to a farmer finds that working conditions or living conditions are not to his liking, he need simply call the central office at Hamburg, Pennsylvania, and request that he be transferred to another farm. We have had very, very few of these requests.

This is just another instance, as I have already indicated, of expanding governmental bureaucracy. I can well understand the attitude of the gentlemen on the other side because this is their bread and butter. This is their line of thinking. "We have to do everything for the people." I am rather surprised that they espouse the name of the Party of Jefferson, who once said: "If we can prevent government from wasting the labors of the people under the pretext of caring for them, they shall be happy."

What these gentlemen are insisting that we do is not to follow the doctrine of Jefferson and Jackson. They are insisting that we follow the doctrine of Khrushchev and Castro; that the government has to do everything for the people. I think this is totally foreign to our American way of life. This is a perfect example of this attitude, and we have had dozens of other bills before this Body in the past several months which indicate this same general line of thinking. I think it is utterly ridiculous.

Mr. MULLIN. Mr. President, I desire to interrogate the gentleman from Franklin, Senator Hawbaker.

The PRESIDING OFFICER. Will the gentleman from Franklin, Mr. Hawbaker, permit himself to be interrogated?

Mr. HAWBAKER. Mr. President, on this subject, I will be happy to answer questions until tomorrow morning.

Mr. MULLIN. I only have one question, Mr. President. Was there any State regulation, a State body or a State law which required the three feet of manure to be removed from the barn before they turned it into a cafeteria or a restaurant?

Mr. HAWBAKER. I am afraid I cannot answer that question. I do not think it is very appropriate to the question at hand. I think public acceptance would take care of that situation very nicely.

Incidentally, public acceptance has a lot to do with living conditions among these men, as I have already indicated. You cannot put a man to work in conditions which are not livable. He just will not stay. These men are not slaves; they are free to go and come as they please. If they are not satisfied with the living conditions provided for them, they do not have to stay on the job. They can refuse to work for that farmer and he, out of necessity, must provide adequate living conditions.

Mr. WEINER. Mr. President, I believe one of the duties of government is for the people, who are in politics and who help to operate the government, to try to do for people what they cannot do for themselves. It may be true that a man does not have to work or live under those conditions. He always has the right to starve, which is absolutely true. However, I think if we cannot more or less help this situation along, we are shirking our duty and overlooking what we are supposed to do. When people live in battered-down boxcars or shacks, and have to carry water by hand, and do not have proper toilet facilities as we know them and do not even have an outhouse, I think we are sinking pretty low. I also think you are fomenting our own society, when we have all this plenty all around us. In the midst of all this plenty, you have people groveling in the dirt just to earn a livelihood. They are shunted about like cattle, and treated like cattle, and live in a rather demeaning area.

I think the television show, produced by Edward R. Murrow, called "The Shame of the Nation," was truly that. I do not care what a man's philosophy is nor how callous he might be, but anyone watching that show had to be moved by those little children and the men and women who were all working in the fields on their hands and knees, from early morning until late at night, for just a few pennies. Then, they move on to some other area. What a terrible existence for these people. What a terrible way of life to live like Gypsies, traveling from one area to another and not knowing what they are going

to find. When it rained, all the rain came through the roof and fell on top of them.

This was not something I had written; this was not something I presented. I am sure Mr. Murrow and CBS had no reason to play this thing up, color it or, in any way, to bring it to anybody's attention other than to present the facts. These were merely the facts, which I think are pretty heartsick when you think about the people who have grain laying in elevators which is going to rot, and when you think about all the surplus food that we have in this Country and the millions and billions of dollars we spend in order to take care of countries which are supposed to be underdeveloped and undernourished. Here are American citizens who are underdeveloped and undernourished. No one is even interested in giving them the basic human needs of just living in dignity as a human being and having a roof over their heads which does not leak, and having a common outhouse which is common to any citizen in this Country. These people cannot even get that.

I am sure, Senator, on your farm, you do not treat the animals the way these people are treated. At least, every cow on your farm has a place to go that is dry and clean, and the animal can be assured of being milked at least once or twice a day and its basic needs taken care of. You cannot even give this to these human beings.

We are merely asking, in this simple legislation, provision for these people to have some of the basic needs that you and I do not even think about any more because they are with us all the time. To deny this to any human being, I think is certainly a blight not only upon our escutcheon as State Legislators, but upon our escutcheon as American citizens.

Mr. HAWBAKER. Mr. President, let us look at this thing realistically.

The gentlemen on the other side are bleeding for good situations for the migrants. They are very much concerned that these people have adequate facilities and adequate this, that and the other thing. However, what they are actually accomplishing is forcing these people out of work and sending them back to Puerto Rico where they live under these kind of conditions all the time.

I would remind the gentlemen that when we started importing Puerto Ricans some ten years ago, we brought in 8,000. Last year, we brought in 1,800. That means the remaining 6,200 are still unemployed in Puerto Rico, living under conditions far worse than anything shown on "Harvest of Shame." Incidentally, I watched that television program one Sunday afternoon and I have never seen anything more distorted, since I happen to know the facts myself. These gentlemen, who live in the comforts of the big cities and know nothing about what is going on out on the farms, are giving us the benefit of some hearsay propaganda. I would suggest that you go with me and visit some of these farms and you will learn something firsthand about this business.

I would like to give you some facts about the business of vegetable farming in Pennsylvania, and some facts which might be just as startling to you as some of the things you saw on the television show, "Harvest of Shame." For example, Senator, did you know that if you go to the market to buy a can of tomatoes, the paper label on that tin can costs the canner more money than he paid the

farmer for the tomatoes inside of the can? Did you know that if you went to the market and bought a bag of carrots, in a plastic bag, that plastic bag cost three times as much as the farmer was paid for the carrots? Did you know that if you went to a restaurant and had a breakfast of bacon and eggs, and left the waitress a dime under your plate, that represents more money than the farmer received for producing all the food you ate? Did you know that if you were to go to New York and see the men unloading a carload of farm produce, the man who unloads that car receives more money than the farmer who produced the produce? All the unloader has invested is a union card, bearing the autograph of one James Hoffa.

These are the things which we should know about this industry. We have tenant farmers who raise a few acres of tomatoes—farmers who do not own these farms—and they employ a few migrants for a few months in the summertime, when the weather is warm and when shelter with central heating certainly is not considered a requirement. These men are doing the best they can to make an honest living. This business of farming has been so muddled and so confused and so mixed-up by the interference of the bureaucrats in the past couple of years that it is almost impossible for a farmer to make a decent living. We are trying to tell these tenant farmers that they should spend more money to provide housing for their migrants than they will realize from their tomato crop for the next ten years. Gentlemen, it just is not practical. As I have already indicated, the result is that we are driving them out of business and we are driving the migrants out of a job.

I can appreciate the fact that the gentlemen on the other side will appreciate this. It is a well-known fact that the people who are unemployed tend to vote Democratic. Therefore, they would not be concerned whether or not we have employment. However, this is exactly what you are doing. You are legislating unemployment and you are sending these migrants back to the South without a job of any kind at all.

Mr. WEINER. Mr. President, I appreciate the gentleman's remarks in regard to what is going on in the farming business. However, how about looking into some of the evils of some of the crew leaders who are involved? Sharecropping has been with us a long time in this Country. This is nothing new to anybody who lives in the city or anywhere else. I think some of the plays and some of the literature which has been around is available to everyone here. I think most of us are sophisticated enough to understand what this means—the evils of the crew leaders; the people who sell other human beings and who use them. On this basis, when you and I know that Lincoln freed the slaves many, many years ago and it continues on in this Country, I think this is worse than the slavery which existed under Lincoln. This is economic slavery. These people are under the yoke of those who deliver them to someone. They are used and then thrown away.

What is the average life or the work span of these people? What can they look forward to? What kind of a life are they leading? Where are their children going? Are these the kind of Americans we want to have in our Country? Are these the kind of people to whom we want to point with pride when we are on the griddle about what we are doing in our life and in our time? I say to

you that I do not think you feel that way. I do not think anybody who has any kind of compassion for any other human being could feel this way or feel that this is the kind of thing we want to continue in this Country.

Mr. DONOLOW. Mr. President, I have been a Member of this Senate since 1955. I have been a member of the Democratic Party for many years before that. I have never been accused, either publicly or on this Senate floor, because I am a member of the Democratic Party, of being a follower of Castro, Khrushchev or being for unemployment. I think my Republican colleague from Franklin County has a short and convenient memory. It was the Republican Party that caused the great depression; under their great leader, Mr. Hoover. It was the Democrats who attempted to bring order to this Country.

I sit on this Senate floor; interested in all peoples of Pennsylvania, whether they make their money from the east, in the factories, or from the farm regions of Pennsylvania. In order to have a fine Commonwealth and a progressive State, we must satisfy all elements of our economy. I have never voted on this floor merely for the factories in the east and forgetting the farm regions in the other parts of our Commonwealth. To hear a Senator stand up here on this floor and talk such sectionalism as has been produced here today is the first time in my history on this floor that I have heard any words being echoed in favor of farmers and against all the other people of Pennsylvania.

There is not a Member on either side of this aisle—and I am talking for my Republican colleagues, as well as the Democrats—who wants to see unemployment in Pennsylvania and who would derive great personal satisfaction from it. There is not one Member of this Senate, from either side of the floor, who wishes to be elected by unemployed Pennsylvanians. Therefore, we do not take great gratification in passing legislation which will cause the bread lines to increase. We are interested in all peoples. The gentleman from Franklin has the philosophy that only the farmers are the good people of this Commonwealth. He thinks they are the untouchables and that we cannot pass legislation to correct the conditions on farms.

Mr. President, as long as I have a vote in this Senate, I shall vote for either the north, the south, the east or the west of Pennsylvania, whether it be the labor ranks or the farm ranks, to correct conditions which are wrong and against human dignity. We have heard too much about the migratory workers. We are not interested in penalizing farmers. We are not interested in causing unemployment on the farms. However, we have a human dignity to uphold. We are civilized people, living in a civilized age. We have compassion and emotion for all people. That is the only reason we are interested in this legislation. If you can show me that minorities are being protected, that it makes no difference about the color of a man's skin, that he will be treated properly, then I will not push legislation. However, as long as there are underdogs in our American way of life, and as long as there are underdogs because of where they come from or the color of their skin, we will attempt to protect them. Mr. President, if the workers on the farms need to be protected, we will do that. I shall vote in that direction.

Mr. STIEFEL. Mr. President, first and above all, I resent, even to a modicum, being accused of being a follower

of Nikita Khrushchev or Fidel Castro. Some day I would like to debate with my colleague from Adams County whether or not it is so easy to hurl cliches about being followers of Nikita. We have just as many Democratic followers among the peasants and farmers as we have among the workers in the cities. There is somewhat of a tendency always to depict the farmer as the neglected element of America.

There is a story told of a farmer who was suffering terrific abdominal pains and they rushed him to the hospital. When he arrived at the hospital, there was a shortage of beds and they could not accommodate him. So, temporarily, they placed him in the maternity department and put a few screens around him. This poor farmer was howling from pain, and a woman nearby, also in pain, was also moaning and groaning.

The farmer saw a nurse pass by with a little pill on a dish, and all of a sudden the woman nearby stopped moaning. He said to the nurse: "Madam, what did you do for that woman? Why aren't you doing it for me?" She said: "I gave her a pill for labor." The farmer said: "Yes, now I know. In this Country, everything is for labor and nothing for the poor farmer."

Mr. MAHADY. Mr. President, I come from a section which is known for its farms. I, perhaps, have assisted in the castrating of as many pigs and the birth of as many cows as any man in this room, if not a lot more.

I say to you, Mr. President, that when one talks for the cause of migratory labor, he is not talking for people who will vote for him, but rather because of the humanity that lies in his heart. We are not trying to make votes because these people do not vote, in the first category which was discussed here today. However, there is another category, and that I want to talk about later.

The Democratic Party has always been the leader. We have seen—and I am not too young to remember—trainloads of people coming in from foreign lands, brought in by people who hired them by misrepresentation and false promises, not only of the way they should live but of the kind of a job they should have. That I will not dwell on. However, I look at this bill and I see that the equivalent of the company store has been abolished. I do not have to tell the farmers from my section of the country about this, because we also had coal and they know of the evils of the company store. When we put a paragraph in here about commissaries and how they shall be regulated, we are thinking of the company store.

I say to you that the thing you are forgetting—and I will not forget it because we had an example of it in our country—is that many of the migratory people are high school children. I know when the Lions Club and the Rotary Club from our town had to take automobiles to Connecticut to bring back our children because they ran into conditions such as have been described here today. We think our own are not involved, but they are involved, just as much as the man from Puerto Rico.

We must look at the fact that here is the cry of humanity and the cry of opportunity. The big thing here is recruiting. What false promises have been made to these people? There is also the idea of changing around. When a man gets smart and he understands the situation and can bargain for himself, he goes to a new locality. They then get people who are green and gullible and they, in

turn, are exposed to the same situation which has been decried here so much.

You talk of interference with the rights of human beings. Weigh the equities. What is the greater? What is the greater sin, the degradation of people who cannot help themselves and who are helpless or saying to someone, "You must do the right thing"?

If Christian charity does not exist within your hearts and the business ethics of your group, no matter what name they bear, are so low that they require an appeal,—not a cry to the heavens, but at least a cry to this Assembly that they must be remedied—we must not turn to them a deaf ear.

Mr. HAWBAKER. Mr. President, I would just like to make one other comment. I think this question has perhaps been belabored far enough.

The gentleman from Westmoreland County made quite a point of our Christian responsibilities. I have been hearing an awful lot in recent years—and so have we all—about this great Christian, humanitarian aspect of our present day society. I would like to remind the gentleman again that the man who first promoted the theory of "From each according to his ability and to each according to his needs" was not a great Christian humanitarian. He was, indeed, the world's number one athiest; the founder of international Communism, Karl Marx.

By contrast, the greatest Christian humanitarian ever to walk the face of this earth had something to say on this same subject, which you will find in the parable of the talents. For those of you who are not familiar with that parable, I would like to relate it to you:

The master called his servants together. To one, he gave five talents; to another, two; and to another, one, with instructions to use them to the best of their ability.

When he returned, the five-talent man had received ten talents and received a promotion. The two-talent man had made those into four talents, and he received a promotion. However, the one-talent man said: "I find that my master is a hard master, reaping where he has not sown. He has been unfair to labor. Why should I do the work while he gets the profit? I hid his money."

Now the great Christian humanitarians of our day would have that story end something like this: Take the ten talents from the first man and give them to the man who has only one. After all, he has a family to support, too.

I would remind you that the greatest Christian humanitarian this world has ever known did not end the story in that way. The way the story did end, as you are all well aware, is in words like this:

"Find the unprofitable servant and cast him into outer darkness. There shall be weeping and gnashing of teeth."

This, gentlemen, comes from the greatest Christian humanitarian this world has ever known.

I read from this parable that Christian humanitarianism does not mean "From each according to his ability and to each according to his needs." Indeed, it means a man's compensation should be in direct proportion to his contribution to society. I submit this is good economic philosophy and this is good Christian philosophy. Let us not kid ourselves into saying that we are for the little guy just because we happen to believe in Christian humanitarianism.

As I indicated before, we are not helping these people.

We are legislating them out of a job and onto public assistance, and we might just as well face that fact, because this is the inescapable fact of the whole situation. If we are interested in the welfare of these people, we will be interested in promoting the kind of society that will provide these people with gainful employment, and we will not be legislating them out of a job.

Mr. SEYLER. Mr. President, it seems to me a very novel reading of the Holy Writ or the democratic philosophy is to say that this justifies the opinion that we should not be interested in the welfare of people who are less fortunate. It seems equally fallacious to read into the writings of Karl Marx that he was the only source of interest in people less fortunate. I believe this is a total distortion of what I believe in and what many people in this Commonwealth believe in. However, I would like to leave the debate we have had and just make one statement for the record.

It seems to me that the impression has been given here that the committee is on one side of this question—I am speaking of the present Governor's Committee or the Committee which would be given legal status by this bill—and that all of the farmers and all people in agriculture are on the other side. I am very happy to say this is not true.

Despite the expertise claimed by the gentleman from Franklin, I live in a county in which the sidewalks do not extend to the boundaries of my county. There is a little bit of good soil out there that is farmed. I know in my own county, both canners and farmers have cooperated with the committee and have received awards from the committee. As I said before, the reason why Pennsylvania is relatively in a good position as far as its treatment of migrant workers is concerned, I believe, is due to the fact that many of the best farmers and canners in this Commonwealth have continuously cooperated with the committee, have met the standards suggested by the committee, and helped to form those standards. This has been done largely cooperatively.

I can cite, in my own county, at least a dozen awards within the last five years that have been received from the committee by farmers or canners because of the excellent job they have done in providing for the welfare of the migrant workers. This is not a question of the committee on one side and the farmers on the other. It is a question of the two working together, over the past ten years or so, to improve the situation. I believe this should continue. I believe the farmers and canners who are involved in this have seen the benefits of it. I do not think they have suffered. I think they believe in it.

I would like to pay tribute to the many farmers and canners—not only in my own county and the cases I know of personally, but also in the other counties of the Commonwealth—who have cooperated and who are doing a fine job, under the leadership and with the cooperation of the committee to better this problem.

Mr. BERGER. Mr. President, I would very much like to terminate the debate on this bill. Nevertheless, I cannot let pass what has been said by some of the gentlemen on the other side, which amounts to an indictment of all of the farmers who have employed migrant laborers in Pennsylvania.

I know something of this problem because I live in a community which at one time had around 4,000 to 5,000

migrant laborers coming in to harvest the crops. This year, I would anticipate, there may be from 500 to 600, although that may be a high estimate.

The farmers, who brought these people in at the first of the experience, were unable to provide very adequate housing. It was some of those situations of which pictures were taken and exhibited here to the Senate. It was a crash program. These people arrived in unexpectedly large numbers, and they had to be housed. Expedience had to be used and, in many instances, accommodations were not adequate.

Mr. President, the farmers who employ these people are not inhumane. They do not hold them in bondage and they do not exploit them.

When the gentlemen say these people are economically oppressed, I would like to have had them come in there some Saturday nights when those people were in town and they were in there spending their money on clothing, on candy and delicacies, and going to the movies. We wanted those people and we were glad to have them, and the farmers of that area were providing adequate and good quarters for them, progressively. Many of them have taken some prizes for the excellent quarters provided for these people.

However, the fact remains, Mr. President, that the matter got all out of proportion. Where there might have been one place that was not desirable or should be condemned, they put on rules and regulations that were far beyond the economic power of these employers to provide such facilities. They were not requested by the employees. They were required by these people who took it upon themselves to go around and tell the farmers how to operate their enterprises.

Mr. President, I think this matter has become largely academic. Automation has gone into the harvesting of peas, beans and practically all of the crops. So, the need for these people has been reduced to the point where it is almost unnecessary to discuss it.

Mr. WEINER. Mr. President, what the gentleman said about automation might very well be true. However, these are human beings and you just cannot take them out and shoot them or sell them to a glue factory. As long as we do not have complete or total automation, I think we should think about the human element and put this matter in its proper perspective.

Let us talk about the bill just for a moment, and not get into all the other aspects of it. We are merely speaking about the fact that this is a recommendation which came as the result of a report, prepared and presented to President Eisenhower, who did not happen to be either a follower of Nikita Khrushchev, Fidel Castro or the Democratic Party. He recommended this not only on the National level, but felt that all the local areas should do something about it. This is a result of that legislation.

We are merely working along in that area and asking that this Body take the same action as was taken by President Eisenhower. We are asking for no more or no less. We have not embellished this bill; we have not changed it. We are just asking that this thing be done. If this is treason, I do not know of anything we can do about it, except to follow what we have been asked to do on behalf of these human beings who are not as fortunate as the people sitting in and around this Chamber today.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—23

Camel,	Lane,	Ripp,	Stalsey,
Devlin,	Mahady,	Rooney,	Stiefel,
DiSilvestro,	McMenamin,	Sarraf,	Weiner,
Donolow,	Miller,	Sesler,	Yatron,
Haluska,	Mullin,	Seyler,	Hays,
Kalman,	Murray,	Silvert,	Presiding Officer

NAYS—24

Bell,	Hawbaker,	McGinnis,	Stroup,
Berger,	Keller,	Pechan,	Van Sant,
Chapman,	Kessler,	Propert,	Wade,
Confair,	Kromer,	Scott,	Wagner,
Flack,	Madigan,	Shafer,	Ware, III,
Fleming,	Mallery,	Stevenson,	Wolfe,

Less than a majority of all the Senators having voted "aye," the question was determined in the negative, and the bill was defeated.

GUESTS OF SENATOR CHARLES R. WEINER PRESENTED TO SENATE

Mr. WEINER. Mr. President, may I interrupt the proceedings for a moment to introduce a group of Democratic workers from the city of Philadelphia who are visiting the Senate Chamber today? They are seated in the balcony.

If the Chair would recognize these visitors, I would appreciate it.

The PRESIDING OFFICER. Will the guests of Senator Weiner—the Democratic workers from Philadelphia—please rise?

On behalf of all the Members of the Senate, the Chair is happy to welcome you here today. We hope you are impressed with democracy in action, both with a small and a capital "D."

THIRD READING CALENDAR

BILLS OVER IN ORDER

SB 351—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

SB 353—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

SB 646—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

SB 671—Mr. BERGER. Mr. President, I request that Senate Bill No. 671, Printer's No. 781, go over in its order, although I understand Senator Lane will give an explanation of this bill. Whether it will be at this time or later, I do not know.

Mr. LANE. Mr. President, for the information of Senator Berger, I took the trouble to secure an analysis of Senate Bill No. 671, Printer's No. 781, as I sponsored this bill quite some time ago. For the information of the Members of the Senate, this bill amends three sections of the Second Class Township Code, relating to the assessment and payment of costs incurred in the construction of sewers and drains. We are a far cry, by the way, from migrant labor on this particular bill.

Section 1507 presently provides for the cost of construction of sewers and drains to be charged upon properties accommodated or benefited to the extent that the present

law permits. The amendment provides that the portion of the cost which cannot be charged upon such properties can be paid from sewer rentals—which Second Class Townships already have the authority to impose—or from general township funds or from both. Lease rentals or charges, under contracts with municipal authorities, may be paid in the same manner. Under the present and existing law, these costs cannot be paid from the general township funds.

With reference to Section 1509, it presently provides for two different methods of assessment of costs of sewer or drain construction upon properties accommodated or benefited. For example, Paragraph (a) provides:

"By an assessment based on the frontage abutting on the sewer or drain . . ."

Paragraph (b) further provides:

"By assessment on properties abutting on the sewer or drain in proportion to the benefits such properties derive therefrom . . ."

This particular Section presently provides that when the township is divided into sewer districts, the method of assessment—(a) or (b)—may vary from one district to another. However, they must be the same within one district. This amendment will permit the use of different methods of assessments, either (a) or (b), as stated above, within the same sewer district.

Section 1526 presently provides that when sewers or drains are constructed by any township under State or county highways, the cost may be collected from abutting property owners on the basis of an assessment of benefits, under Section 1509 (b). This amendment provides that such costs may be collected from abutting property owners, either on the basis of an assessment of benefits or on the basis of frontage. This will make the collection of costs of sewers and drains, under such highways, uniform with the collection of costs in other cases.

This is the analysis of the Legislative Reference Bureau. I also have some data here on the bill, but I believe this is quite sufficient. I recall that the Commission, itself, held some hearings with reference to this legislation, and the Second Class Townships would like very much to have this passed.

By the way, if the Minority Leader is satisfied, I will be glad to give him a copy of this analysis. I think it is good legislation. I might say that it is going to bring about uniformity and it is going to alleviate a lot of headaches in so far as Second Class Townships are concerned when it comes to sewer rentals and that sort of thing.

Mr. BERGER. Mr. President, I appreciate the explanation given by the gentleman from Washington. However, I would like the bill to go over in its order and ask him whether he might let me have the material which he just read.

The PRESIDING OFFICER. There being no objection, the bill will go over in its order.

BILL ON THIRD READING AND FINAL PASSAGE

SB 672 (Pr. No. 1093)—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. BELL. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Weiner.

The PRESIDING OFFICER. Will the gentleman from Philadelphia, Mr. Weiner, permit himself to be interrogated?

Mr. WEINER. I will, Mr. President.

Mr. BELL. Mr. President, Senate Bill No. 672 I understand is part of the package to implement the Kerr-Mills Act in Pennsylvania. Is that correct?

Mr. WEINER. That is correct.

Mr. BELL. Does this, together with the other bill we passed I believe last week, make the complete package?

Mr. WEINER. It does make the complete package.

I believe you are referring to House Bill No. 1595. That bill implemented the Kerr-Mills Act. Senate Bill No. 672 is the collection feature which goes under it to implement those people who take advantage of it, remunerating the State for the money it puts out.

Mr. BELL. With these two bills, will the Kerr-Mills Act be wholly implemented in Pennsylvania?

Mr. WEINER. It will be wholly implemented in Pennsylvania.

Just to add an addenda to that statement, there may be some piece of legislation which might follow to correct some of the problems they may have, administratively. When I say this is all they need, I am saying it knowing full well there might be some implementation they may need as they start to administer the Act.

There is also some thought that perhaps Senate Bill No. 672 may not be wholly necessary, but they would like to have this machinery available to them if they should need it. It is a precautionary feature which allows the Commonwealth to get some money or at least put a claim to some money which might come back to it. I think it is needed legislation.

Mr. BELL. Mr. President, after the very heated discussions we have had this afternoon, I am going to pass a compliment to Senator Weiner and the Democrats. On behalf of the people especially connected with the Chester Hospital, in Chester, I want to thank the Democratic Administration for implementing the Kerr-Mills Act. I hope the Commonwealth never sees a repetition of what happened in my county, where one of the hospitals was really pushed to the wall. I hope the Kerr-Mills Act will answer the problem of the Pennsylvania hospitals.

Again, I want to compliment the Majority Leader and the Majority Whip for attentively listening to me because this is, I think, one of the big strides forward in Pennsylvania this year.

Mr. LANE. Mr. President, to be very frank about it, I do not like the text of the regulations contained in this particular bill. However, I do want to see the aged people taken care of in Pennsylvania. Very reluctantly, I am voting for this legislation. If it were not for the humanitarian aspects of the prior bill which passed in this Senate, I would not vote for Senate Bill No. 672 because I believe the regulations, with reference to the responsibility of the relatives, are too heavy and too strict.

As I have indicated, I am forced to vote for this bill in view of the fact that the liberal portion of the legislation has already passed. We must have some machinery to regulate the payment of funds. I do feel, however, that the legislation contained in Senate Bill No. 672 is actually too strict for the average man.

Mr. WEINER. Mr. President, I would like to make a brief observation. I would like to point out that this was not the Democratic Party program. It never was. I felt we had to subscribe to it because we had no place else to go at the moment.

As many of my colleagues feel, I still maintain that the better program is under the Social Security program and not under this type of setup which makes a man go, with his hat in his hand, and beg or plead for help at a time in life when he can do nothing to help himself. I felt the Social Security program would certainly have lent more dignity to the human being and it would have stated to a man who has worked all his life that he had some other fringe benefits, other than what he was able to accrue during his working and productive period of life.

Mr. BELL. Mr. President, I did not expect to have this become a political tirade. However, I also want to put into the record a very brief statement.

The Kerr-Mills Act was passed by the United States Congress, which was controlled by the Democrats, by approximately two-to-one. During the present Session, with a Democratic President and a Democratic Congress, there has been no success—or whatever you want to call it—in passing a different law. Regardless of personal likes or dislikes in Pennsylvania, the Kerr-Mills Act is the Federal law of the land.

Again, I compliment the Democratic Majority in concurring with the feeling of the Republican Minority, as has been expressed all spring on this matter.

An the question recurring,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. SEYLER. Mr. President, I desire to be recorded as voting "no."

The PRESIDING OFFICER. The gentleman will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bell,	Hawbaker,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Ripp,	Van Sant,
Devlin,	Lane,	Rooney,	Wade,
DiSilvestro,	Madigan,	Sarraf,	Wagner,
Donolow,	Mallery,	Scott,	Ware, III,
Ehrgood,	McCreesh,	Sesler,	Weiner,
Flack,	McGinnis,	Shafer,	Wolfe,
Fleming,	McMenamin,	Silvert,	Yatron,
Haluska,	Miller,	Staisey,	Hays,
			Presiding Officer

NAYS—2

Mahady, Seyler,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

SB 687—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

SB 688 and 690—Mr. WEINER. Mr. President, I request that Senate Bill No. 688 and Senate Bill No. 690 go over in their order as these bills are part of the education package.

The PRESIDING OFFICER. There being no objection, the bills will go over in their order.

BILL ON THIRD READING AND FINAL PASSAGE

SB 695 (Pr. No. 808)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bell,	Keller,	Murray,	Stevenson,
Berger,	Kessler,	Pechan,	Stiefel,
Camel,	Kromer,	Propert,	Stroup,
Confair,	Lane,	Ripp,	Taylor,
Devlin,	Madigan,	Rooney,	Van Sant,
DiSilvestro,	Mahady,	Sarraf,	Wade,
Donolow,	Mallery,	Scott,	Wagner,
Ehrgood,	McCreesh,	Sesler,	Ware, III,
Flack,	McGinnis,	Seyler,	Weiner,
Fleming,	McMenamin,	Shafer,	Wolfe,
Haluska,	Miller,	Silvert,	Yatron,
Hawbaker,	Mullin,	Staisey,	Hays,
Kalman,			Presiding Officer

NAYS—1

Chapman,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS RECOMMITTED

SB 705 (Pr. No. 1073), SB 706 (Pr. No. 1074) and SB 707 (Pr. No. 1075)—Upon motion of Mr. WEINER, seconded by Mr. LANE, and agreed to, the bills were re-committed to the Committee on Corporations.

BILL OVER IN ORDER

SB 811—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILL ON THIRD READING AND FINAL PASSAGE

SB 830 (Pr. No. 1026)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarraf,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Ehrgood,	McCreesh,	Seyler,	Weiner,
Flack,	McGinnis,	Shafer,	Wolfe,
Fleming,	McMenamin,	Silvert,	Yatron,
Haluska,	Miller,	Staisey,	Hays,
Hawbaker,	Mullin,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

SB 852 and HB 1015—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

BILL RECOMMITTED

HB 1023 (Pr. No. 2461)—Mr. WEINER. Mr. President, I move that House Bill No. 1023 be recommitted to the Committee on Highways.

Mr. LANE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. BERGER. Mr. President, I desire to interrogate the Majority Leader.

The PRESIDING OFFICER. Will the Majority Leader permit himself to be interrogated?

Mr. WEINER. I will, Mr. President.

Mr. BERGER. Mr. President, I would inquire of the Majority Leader the objection which might have been raised to this bill or such amendments as he might contemplate if it goes back to committee.

Mr. WEINER. I am sorry, Senator. Would you please repeat the question?

Mr. BERGER. Yes. I would inquire as to what possible objection you might have or what amendments you might contemplate placing in the bill when it goes back to committee.

Mr. WEINER. Mr. President, we have passed at this Session a bill which already provides for seismic operations, and we, I believe, voted on an appropriation or have an appropriation in the offing for the Secretary of Internal Affairs, who is in charge of this matter.

What I would like to do in this situation is send this bill back to committee until such time as we have worked out whether one bill or the other should move, and then we will be able to act on the proper measure.

Mr. BERGER. Mr. President, I thank the gentleman. However, I do not so understand that the legislation we have already passed deals with this particular subject.

This bill would implement the bill we have already passed by providing that the people who are engaged in exploration for oil and gas in Pennsylvania might conduct seismic operations within the limits of the State highways, under rules and regulations and under permission of the Department of Highways. This, I believe, is a very necessary supplement to the preceding legislation.

I know, Mr. President, that these operations have been conducted within the limits of secondary roads—that is, township roads—in a number of areas of the Commonwealth, and they provide valuable information as to the formations which are below the surface of the earth. They simply provide that bore holes will be drilled, charges set in those bore holes, and seismographic readings be taken from the reverberations through the lower strata, which the experts in those procedures can interpret.

Mr. President, without this bill, they will be unable to do that and, consequently, will lack that much more information as to the geological formations in the various areas in Pennsylvania. I believe it is a desirable piece of legislation and I would oppose it being recommitted.

Mr. WEINER. Mr. President, if we are conducting seismic operations through the Department of Internal Affairs and we have appropriated money to do that, I do not

believe this will preclude them or say to them that they should only go up to these highways and not any further. I think it will be done for the entire State.

I think this is unnecessary legislation at the moment. It might very well be that I am mistaken about it. Rather than just pass a bill and not know what I am doing, I would rather send this back to committee until such time as I am informed and can act intelligently on this matter.

There have been many measures upon which we have not acted as seasonably as this one. This has moved right along. I think we ought to return it to committee until such time as we can work out whatever problems exist in this measure and the previous measure which passed.

Mr. BERGER. Mr. President, the conduct of seismographic operations by the Department of Internal Affairs is one thing, and the conduct of those operations by private operators for information in their future explorations is quite another thing. There is no reason in the world to deny these operations the information they could obtain by their own seismic operations. I see no reason why this information should be concentrated and obtained only by a department of the State rather than by private operators who need the information in order to conduct their business in this Commonwealth of Pennsylvania.

I hope, Mr. President, the legislation that we passed was not intended to concentrate into a department of the State all control over the operations in Pennsylvania for the discovery of oil and gas.

Mr. WEINER. Mr. President, I would like to hasten to point out to the gentleman that the results of the seismic operations performed by the Secretary of Internal Affairs are available and open to the entire public, just as all of our plot plans are also. This information is used by people all over the State—attorneys, real estate people, prospectors and corporations—and it is always available to them.

I am not sure that the information obtained by these people under this bill would be available to the public at large. We are putting this money into Internal Affairs and they are looking for natural resources and making the information available to everyone.

I do not know that there is great haste needed on this bill. This is a House Bill, and it only needs to be passed on Third Reading and Final Passage in this Chamber. There is no reason to put such great stress on it. I am only asking that it go back to committee until such time as we have a chance to study it. I do not want to see it pass here unless we know what we are doing.

Mr. BERGER. Mr. President, there is nothing obscure in this bill. It does precisely what it says it does. However, Mr. President, I think the gentleman has touched on a very important point, and that is the information obtained by private operators will not become public knowledge. It is not intended to become public knowledge.

If it is the gentleman's view that the Department of Internal Affairs should conduct the only seismographic operations in Pennsylvania, this differs far from the viewpoint that I took when I voted for the other legislation providing for the oil and gas conservation.

And the question recurring,

Will the Senate agree to the motion?

A voice vote having been taken, the question was determined in the affirmative and the bill was recommitted.

BILL ON THIRD READING AND FINAL PASSAGE

HB 1083 (Pr. No. 2488)—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bell,	Kalman,	Mullin,	Stevenson,
Berger,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Stroup.
Chapman,	Kromer,	Propert,	Taylor,
Confair,	Lane,	Ripp,	Van Sant,
Devlin,	Madigan,	Rooney,	Wade,
DiSilvestro,	Mahady,	Sarraf,	Wagner
Donolow,	Mallery,	Scott,	Ware, III,
Ehrgood,	McCreesh,	Seyler,	Weiner,
Flack,	McGinnis,	Shafer,	Wolfe,
Fleming,	McMenamin,	Silvert,	Yatron,
Haluska,	Miller,	Stalsey,	Hays,
Hawbaker,			Presiding Officer

NAYS—1

Sesler,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, that the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

BILL ON THIRD READING AMENDED

HB 1105 (Pr. No. 1222)—Read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. LANE, by unanimous consent, offered the following amendments:

Amend Sec. 1 (Sec. 1302-B), page 5, by inserting between lines 6 and 7: () (3) I am a shut-in or invalid not under the care of a physician

Amend Sec. 1 (Sec. 1303-B), page 7, line 12, by inserting a bracket before "county" and after "residence" and inserting immediately thereafter: election district in which I vote

Amend Sec. 1 (Sec. 1303-B), page 8, line 1, by inserting after "disability": or because he is a shut-in or invalid

Amend Sec. 1 (Sec. 1303-B), page 8, lines 10 and 11, by inserting a bracket before "county" in line 10 and after "residence" in line 11, and inserting immediately thereafter: election district in which he votes

Amend Sec. 1 (Sec. 1303-B), page 9, line 3, by inserting brackets before and after "thirtieth" and inserting immediately thereafter: fortieth

Amend Sec. 1 (Sec. 1303-B), page 9, line 4, by striking out "fifteenth" and inserting: tenth

On the question,

Will the Senate agree to the amendments?

They were agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. LANE.

HB 53 CALLED UP

HB 53 (Pr. No. 1017)—Without objection, the bill, which previously went over in its order temporarily, was called up, from page 4 of the Third Reading Calendar, by Mr. WEINER.

BILL ON THIRD READING AMENDED,
LAID ON THE TABLE

HB 53 (Pr. No. 1017)—Read at length the third time, On the question,
Will the Senate agree to the bill on third reading?
Mr. VAN SANT, by unanimous consent, offered the following amendments:

Amend Sec. 1 (Sec. 1), page 2, line 10, by striking out "the" and inserting: an

Amend Sec. 1 (Sec. 1), page 2, line 10, by inserting after "election": for presidential and vice-presidential electors and six (6) months immediately preceding all other elections

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

Mr. WEINER. Mr. President, I now move that House bill No. 53, printer's No. 1017, be laid on the table.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

THIRD READING CALENDAR

BILL ON THIRD READING AND FINAL PASSAGE

HB 1178 (Pr. No. 2474)—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—28

Berger,	Haluska,	McMenamin,	Seyler,
Camiel,	Kalman,	Mullin,	Silvert,
Chapman,	Keller,	Murray,	Stalsey,
Devlin,	Kessler,	Ripp,	Stiefel,
DiSilvestro,	Lane,	Rooney,	Van Sant,
Donolow,	Mahady,	Sarraf,	Ware, III,
Fleming,	McGinnis,	Scott,	Weiner,

NAYS—19

Bell,	Kromer,	Propert,	Wagner,
Confair,	Madigan,	Sesler,	Wolfe,
Ehrgood,	Mallery,	Stevenson,	Yatron,
Flack,	Miller,	Stroup,	Hays,
Hawbaker,	Pechan,	Wade,	Presiding Officer

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, that the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

BILLS ON THIRD READING, DEFEATED ON
FINAL PASSAGE

HB 1262 (Pr. No. 1458)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

Mr. BERGER. Mr. President, this bill would place the State Workmen's Insurance Fund into the liability and

casualty business. For that reason, and believing it was never the intention of the Fund to engage in that collateral business, I would request that the Members of the Senate vote "no" on this bill.

And the question recurring,
Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. WEINER. Mr. President, may we be at ease for a moment?

The PRESIDING OFFICER. The Senate will be at ease.
(The Senate was at ease.)

Mr. STASEY. Mr. President, having voted under a misapprehension, I desire to change my vote from "no" to "aye."

The PRESIDING OFFICER. The gentleman will be so recorded.

Mr. DEVLIN. Mr. President, I desire to be recorded as voting "aye."

The PRESIDING OFFICER. The gentleman will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—22

Camiel,	Lane,	Rooney,	Staisey,
Devlin,	Mahady,	Sarra,	Stiefel,
DiSilvestro,	McGinnis,	Sesler,	Weiner,
Donolow,	Mullin,	Seyler,	Yatron,
Haluska,	Murray,	Silvert,	Hays,
Kalman,	Ripp,		Presiding Officer

NAYS—24

Bell,	Hawbaker,	McMenamin,	Stroup,
Berger,	Keller,	Pechan,	Van Sant,
Chapman,	Kessler,	Propert,	Wade,
Confair,	Kromer,	Scott,	Wagner,
Flack,	Madigan,	Shafer,	Ware, III,
Fleming,	Mallery,	Stevenson,	Wolfe,

Less than a majority of all the Senators having voted "aye," the question was determined in the negative, and the bill was defeated.

HB 1307 (Pr. No. 2394)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

Mr. STIEFEL. Mr. President, I am going to cast my vote in the negative on this measure and I want to explain the reason why I am doing so.

There is a new tendency, which is omnipresent and which we experience annually during the Sessions, to expand the power of the boards, to change them, to expatiate on them and to cause more trouble for the people who want to gain admission into the professions. This tendency to limit is tantamount to expulsion or depriving a citizen admission into the professions.

For this reason, it is high time we put an end to it. So far as I am concerned, I am going to do the utmost in my power to help to do so. Therefore, I am voting against this bill.

Mr. SESLER. Mr. President, I, too, am going to cast a negative vote for reasons similar to those of my good colleague from Philadelphia.

I should say that this bill sets a bad precedent, because,

unfortunately, there are several statutes on the books of Pennsylvania which have similar provisions in regard to the calling of conferences biennially or yearly, in some cases.

I would like the Members on the other side if the aisle to know that we, on this side, also feel that this goes beyond the duties which should be imposed on a board of the Commonwealth. It necessarily seeks to maintain a standard, and the people who are the proponents of this bill feel that it is good because it requires them to come back biennially for instruction and new material in their particular field.

In my profession—the legal profession—we have no such requirement, nor do the doctors. I think this is something that should be done internally within the profession or within the particular occupation. Therefore, I think this bill should be defeated.

Mr. WEINER. Mr. President, I do not know just how I am going to vote on this bill. However, I think we ought to keep all of these things in perspective. All they are asking is that these people, sometime within the two years, attend a meeting which will bring the profession up to a certain standard.

I think all of us are aware that there are not too many schools of chiropody. I think there are only about two or three left in the Country. There was one down in Philadelphia, but it closed about two or three years ago. It was part of Temple University. Since there are not too many, these people are trying to keep a certain standard in their profession.

If this were an undue hardship on these people, I would say let us turn it down. However, I think they are asking a very simple thing; that the people keep themselves informed either as to literature or the learning that goes on within the profession. I think any profession that tries to maintain itself ought to do so. This is true of every group that has ever come before the Legislature. This is a perennial bill, and the Members can vote as they see fit. However, I think we also ought to bear in mind that this is not something which is harsh or will tend to hurt anyone.

As much as I hate to differ with my learned colleague, Senator Stiefel, for whom I have great regard, at the same time I think we ought to keep a proper perspective on this measure.

Mr. STIEFEL. Mr. President, I have a high regard for the opinions of my worthy colleague, Senator Weiner, and great respect for him. However, there is another point which I want to bring out, and I have said it time and time again on the floor of the Senate. The famous French philosopher, Voltaire, said that he would rather have Mephisto legislate and Gabriel execute than Gabriel legislate and Mephisto execute.

On those boards, there are too many Mephistos. They become entrenched. This is what I am afraid of. I am afraid of the Mephistos; of the so-called board members who pontificate, who exclude and prescribe. This is the reason it is high time to stop it.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—21

Berger,	Kalman,	Scott,	Van Sant,
Chapman,	Kessler,	Seyler,	Wagner,
Devlin,	Mullin,	Shafer,	Weiner,
Donolow,	Pechan,	Silvert,	Wolfe,
Haluska,	Sarraf,	Staisey,	Yatron,
Hawbaker,			

NAYS—23

Bell,	Lane,	Murray,	Stiefel,
Confair,	Madigan,	Propert,	Stroup,
Flack,	Mahady,	Ripp,	Wade,
Fleming,	Mallery,	Rooney,	Ware, III,
Keller,	McGinnis,	Sesler,	Hays,
Kromer,	McMenamin,	Stevenson,	Presiding Officer

Less than a majority of all the Senators having voted "aye," the question was determined in the negative, and the bill was defeated.

BILLS OVER IN ORDER

HB 1402—Mr. PECHAN. Mr. President, I request that House bill No. 1402 go over in its order.

The PRESIDING OFFICER. Is there objection?

Mr. WEINER. Mr. President, I am going to object to House bill No. 1402 going over in its order. It has been on the Calendar for about a month. I know there are some problems with it, and I think the only way we can solve these problems is to bring the bill before the Members of the entire Senate.

I, as well as the other Members here, am intimately aware of what the problems are. I think that only by running this bill through once will we get at the problems and find out what the situation is.

If there is some particular problem that is bothering somebody today, I will be happy to discuss it with them, go over it with them, and then we can bring this to a head. I think on some date we ought to pass this bill or not pass it, as the case might be.

The gentlemen who are in favor of this measure in the House and the people who are in favor of it in the Senate, and who come from these areas that are being hard hit, feel something ought to be done. They feel this is an approach to the problem. I do not know whether it is or not. However, I think they are certainly entitled to their day in having this measure heard and heard in full.

Mr. PECHAN. Mr. President, I have talked to several Members of the Senate on both sides of the aisle. If the Majority Leader will allow this bill to go over in its order until Monday, I think the solution can be worked out to the satisfaction of everybody. I will just ask him to put it over in order until Monday. At that time, I will assure him he can act on the bill, one way or another.

Mr. WEINER. Mr. President, am I quoting the gentleman correctly when I say that the record will show that on Monday, we will act on this bill finally, one way or another?

Mr. PECHAN. Yes, Mr. President. Let me say that I will have no objection to the bill being acted on this coming Monday.

Mr. WEINER. Senator, I do not want to question every man sitting over there. Is that statement on behalf of all of the gentlemen on the other side of the aisle?

Mr. PECHAN. My dear friend, I can only speak for Al Pechan. I cannot speak for anybody else.

Mr. WEINER. Mr. President, would the gentleman have

me start from right to left and ask everyone up and down the aisle if they are going to be for or against this measure on Monday?

Mr. BERGER. Mr. President, I might have been laboring under a misapprehension, but I had some idea that one of the sponsors of this bill was quite interested in it, and the suggestion that something could be worked out might reach a pretty favorable result. I do not know. However, if it is pressed for a vote this afternoon for purposes that I cannot understand, perhaps the result would not be as he would like.

Mr. President, it is absurd for anybody to suggest that one person can answer for all of the votes. I would like to make that interrogation sometime of the Majority Leader. However, I think, Mr. President, that on Monday we will be able to act on this bill.

Mr. WEINER. Mr. President, might the record show that on Monday, we will take some action, either affirmatively or negatively, on this measure?

Mr. BERGER. Mr. President, may I reiterate to the Majority Leader, and to the Members of the Senate, that to the best of my knowledge and belief, there will be something done with this bill on Monday. Now if he wishes a more affirmative answer than that, I must respectfully decline.

Mr. WEINER. Mr. President, I want to thank the gentleman. We will be prepared to act on this legislation on Monday.

The PRESIDING OFFICER. At the request of the gentleman from Armstrong, Senator Pechan, the bill will go over in its order.

HB 1403 and 1414—Without objection, the bills were passed over in their order at the request of Mr. PECHAN.

HB 1515—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILL ON THIRD READING AND FINAL PASSAGE

HB 1540 (Pr. No. 2164)—Read at length the third time and agreed to,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarraf,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Ehrgood,	McCreesh,	Seyler,	Weiner,
Flack,	McGinnis,	Shafer,	Wolfe,
Fleming,	McMenamin,	Silvert,	Yatron,
Haluska,	Miller,	Staisey,	Hays,
Hawbaker,	Mullin,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, that the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

HB 1551—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILL ON THIRD READING AND FINAL PASSAGE

HB 1668 (Pr. No. 2469)—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Kalman,	Murray,	Stevenson,
Berger,	Keller,	Pechan,	Stiefel,
Camel,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarraf,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Ehrgood,	McCreesh,	Seyler,	Weiner,
Flack,	McGinnis,	Shafer,	Wolfe,
Fleming,	McMenamin,	Silvert,	Yatron,
Haluska,	Miller,	Stalsey,	Hays,
Hawbaker,	Mullin,		Presiding Officer

NAYS—0

Ordered, that the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

RESOLUTION REPORTED FROM COMMITTEE

Mr. LANE, by unanimous consent, from the Committee on Rules, reported with amendment, Senate Resolution, Serial No. 85, entitled:

Requesting the Construction of a Bridge or Tunnel Between Delaware County and the State of New Jersey.

The PRESIDING OFFICER. The resolution will be placed on the Calendar.

REPORT FROM COMMITTEE

Mr. KALMAN, by unanimous consent, from the Committee on Mines and Mineral Industries, reported, as committed, **HB 57**.

RECESS

Mr. WEINER. Mr. President, I request a ten-minute recess of the Senate for the purpose of holding a meeting of the Committee on Appropriations.

The PRESIDING OFFICER. Are there any objections? The Chair hears no objection, and declares a ten-minute recess of the Senate.

AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed, the Senate will be in order.

SECOND READING CALENDAR

BILLS OVER IN ORDER

HB 161 and SB 375—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

SB 473, HB 573 and SB 598—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

SB 611 and 613—Without objection, the bills were passed over in their order at the request of Mr. SEYLER.

BILL ON SECOND READING

HB 616 (Pr. No. 1639)—Read at length the second time and agreed to,

Ordered, to be transcribed for a third reading.

BILLS OVER IN ORDER

SB 644, 692, 741 and 758—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

SB 769, 791, 801 and 806—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

HB 826, 884 and 1075—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

HB 1085—Mr. BERGER. Mr. President, I request that House bill No. 1085 go over in its order.

The PRESIDING OFFICER. Is there objection?

Mr. WEINER. Mr. President, I do have objection to House bill No. 1085, printer's No. 1202, going over in its order. However, I will not debate that today and will allow the bill to go over in order.

The PRESIDING OFFICER. The bill will, accordingly, go over in its order.

BILL ON SECOND READING

HB 1098 (Pr. No. 2513)—Read at length the second time, On the question,

Will the Senate agree to the bill on second reading?

Mr. BERGER. Mr. President, I request that House bill No. 1098, printer's No. 2513, go over in order.

The PRESIDING OFFICER. Is there objection?

Mr. WEINER. Mr. President, I object to House bill No. 1098 going over in order, and I would also object to any request that House bill No. 1099, House bill No. 1101, House bill No. 1163 or House bill No. 1190 going over in their order.

These bills have been on the Calendar for some time. I must take the same position on behalf of these bills as I took earlier regarding moving some other bills. I ask that we take some action on them.

House bill No. 1098 had some features in it which were troublesome. I put an amendment into it in order to bring it back to the position in which it was in the House and which helped it to pass the House. These are insurance bills which I think need some action. Therefore, I would respectfully ask that we take some action on them.

Mr. BERGER. Mr. President, I am not questioning the statement of the Majority Leader that the amendment put in restores this bill to the form in which it was acceptable to certain of the smaller mutual insurance companies. However, I have not received the affirmative intelligence to that effect, and I confess that my ability to read the bill with the amendment may be faulty. I would rather have some further information.

Therefore, Mr. President, I have requested the bill to go over in its order.

Mr. WEINER. Mr. President, these bills have been on

the Calendar since about June 14, 1961. Today's date being July 18, I believe this is a considerable length of time and we should take some action on them. It is difficult for anyone to know exactly what areas these bills travel into or what the problems are unless we have them before us for action.

To continue to keep these bills on the Second Reading Calendar makes it difficult for anybody to take a position or act on them.

I have received a number of letters regarding these bills. Some of the letters that came to me were completely in error and had nothing to do with what the facts are or what the provisions contained in these measures actually were.

We should move these bills up to the Third Reading Calendar so we can begin to see them in their real light. It may be that some of the Members sitting on this side of the aisle are going to vote against these bills. I have no way of knowing that. I have not discussed these matters with the people in our Caucus. It is my desire to try to move up all this material. We have moved quite a number of bills today and I would like to continue to do this and clean up the Calendar, if at all possible.

Mr. BERGER. Mr. President, I hope and trust that the gentleman is entirely consistent on that statement. Would he like to have the bills voted on tomorrow? I put that in the form of a hypothetical question.

Mr. WEINER. Mr. President, I would be very happy to vote on all of these bills tomorrow, if that is the desire of the gentlemen on the other side. I will have all of our people here. We are all here today, except one gentleman. I will try to have him here tomorrow and let us work on all this legislation.

Mr. BERGER. Mr. President, I understand there has been an objection to this bill going over in its order.

Mr. WEINER. Mr. President, I object to House Bill No. 1098, which is the bill before us at the moment, going over in its order.

Mr. BERGER. Mr. President, I now move that House Bill No. 1098 go over in its order.

Mr. WADE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. WEINER. Mr. President, I object to this motion and ask for a roll call vote.

The PRESIDING OFFICER. A roll call being requested, the Clerk will call the roll.

(During the calling of the roll, the following occurred:)

VERIFICATION OF THE ROLL

Mr. BERGER. Mr. President, I request a verification of the roll.

The PRESIDING OFFICER. Request has been made to have the roll verified. The Clerk will proceed to call the names of those recorded as voting in the affirmative.

The Clerk read the names of those recorded as having voted in the affirmative as follows:

Berger	Hawbaker	Propert	Wade
Chapman	Kessler	Scott	Wagner
Confair	Kromer	Shafer	Ware
Flack	Madigan	Stevenson	Wolfe
Fleming	Mallery	Stroup	

The PRESIDING OFFICER. Are there any corrections? The Chair hears none. The affirmative roll will stand as verified.

The Clerk will now proceed to call the names of those recorded as voting in the negative.

The Clerk read the names of those recorded as having voted in the negative as follows:

Camiel	Kalman	Murray	Seyler
Devlin	Lane	Ripp	Silvert
DiSilvestro	Mahady	Rooney	Staisey
Donolow	McMenamin	Sarraf	Weiner
Haluska	Mullin	Sesler	Yatron
Hays			

The PRESIDING OFFICER. Are there any corrections to the negative roll?

Mr. MURRAY. Mr. President, not having heard my name called, I desire to be recorded as voting "no."

The PRESIDING OFFICER. The gentleman from Luzerne, Senator Murray, will be so recorded.

Mr. BERGER. Mr. President, I understand the roll call was completed and this was a verification thereof.

Mr. McMENAMIN. Mr. President, not having heard my name called, I desire to be recorded as voting "no."

The PRESIDING OFFICER. The gentleman will be so recorded.

Mr. VAN SANT. Mr. President, not having heard my name called, I would like to be recorded as voting "aye."

The PRESIDING OFFICER. Senator Van Sant, the affirmative roll has been verified. I am sorry.

Are there any further corrections to the negative roll? The Chair hears none, and the negative roll will stand as verified.

The yeas and nays were required by Mr. WEINER and were as follows: viz:

YEAS—19

Berger,	Hawbaker,	Propert,	Wade,
Chapman,	Kessler,	Scott,	Wagner,
Confair,	Kromer,	Shafer,	Ware, III,
Flack,	Madigan,	Stevenson,	Wolfe,
Fleming,	Mallery,	Stroup,	

NAYS—21

Camiel,	Lane,	Ripp,	Silvert,
Devlin,	Mahady,	Rooney,	Staisey,
DiSilvestro,	McMenamin,	Sarraf,	Weiner,
Donolow,	Mullin,	Sesler,	Yatron,
Haluska,	Murray,	Seyler,	Hays,
Kalman,			Presiding Officer

So the question was determined in the negative, and the motion was defeated.

And the question recurring,

Will the Senate agree to the bill on second reading?

It was agreed to.

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

HB 1099, 1101 and 1163—Mr. BERGER. Mr. President, I request that House bill No. 1099, House bill No. 1101 and House bill No. 1163 go over in their order.

The PRESIDING OFFICER. Is there objection?

Mr. WEINER. Mr. President, I object to these bills going over in their order. The only way I will accede to the request is if we can be assured that on Monday, we

will work on these measures and bring them before the Senate. We are anxious to clear them from the Calendar.

Mr. President, may we be at ease a moment?

The PRESIDING OFFICER. The Senate will be at ease. (The Senate was at ease.)

Mr. WEINER. Mr. President, I now withdraw my objection to House bill No. 1099, House bill No. 1101 and House bill No. 1163 going over in order.

The PRESIDING OFFICER. Objection having been withdrawn, the bills will go over in their order.

REPORTS FROM COMMITTEE

Mr. McGINNIS, by unanimous consent, from the Committee on Appropriations, reported, as committed, **SB 584, HB 761, 769, 799, 802, 805, 806, 1193, 1194, 1195, 1196, 1197, 1198 and 1199**; as amended, **SB 586**; rereported, as committed, **SB 202, 225 and 260**; and rereported, as amended, **SB 238**.

HB 53 TAKEN FROM THE TABLE

HB 53 (Pr. No. 2518)—Without objection, Mr. WEINER called from the table House bill No. 53.

BILL ON THIRD READING AND FINAL PASSAGE

HB 53 (Pr. No. 2518)—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Bell,	Kalman,	Murray,	Stalsey,
Berger,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Lane,	Ripp,	Van Sant,
Confair,	Madigan,	Rooney,	Wade,
Devlin,	Mahady,	Sarraff,	Wagner,
DiSilvestro,	Mallery,	Scott,	Ware, III,
Donolow,	McGinnis,	Sesler,	Weiner,
Flack,	McMenamin,	Seyler,	Wolfe,
Fleming,	Miller,	Shafer,	Yatron,
Haluska,	Mullin,	Silvert,	Hays,
Hawbaker,			Presiding Officer

NAYS—2

Kromer, Stevenson,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

SECOND READING CALENDAR

BILL ON SECOND READING

HB 1172 (Pr. No. 2514)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER UNTIL MONDAY, JULY 24, 1961

HB 1190—Without objection, the bill was passed over in its order until Monday, July 24, 1961 at the request of Mr. BERGER.

BILLS ON SECOND READING

HB 1206 (Pr. No. 1378) and HB 1207 (Pr. No. 1379)—Read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

HB 1220, 1234, 1263, 1335, 1440, 1476, 1496, 1588, 1616, 1666, 1667, 1678, 1683 and 1704—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

BILLS ON FIRST READING

Mr. SILVERT. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. SARRAF. Mr. President, I second the motion.

The motion was agreed to.

The bills were as follows:

SB 584, 586, 858, 867, HB 57, 300, 337, 761, 769, 799, 802, 805, 806, 1193, 1194, 1195, 1196, 1197, 1198, 1199, 1621 and 1652.

And said bills having been read at length for the first time,

Ordered, To be laid aside for second reading.

SENATE RESOLUTION, SERIAL NO. 78, CALLED UP

Mr. WEINER, without objection, called up from page 21 of the Calendar, Senate Resolution, **Serial No. 78**, entitled:

Requesting a New Section, Entitled "Pennsylvania's Centennials," be Inserted in the Next Issue of the Pennsylvania Manual

On the question,

Will the Senate adopt the resolution?

SENATE RESOLUTION, SERIAL NO. 78, ADOPTED

Mr. WEINER. Mr. President, I move that the Senate do adopt this resolution.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to and the resolution was adopted.

SENATE RESOLUTION, SERIAL NO. 82, CALLED UP

Mr. DONOLOW, without objection, called up from page 21 of the Calendar, Senate Resolution **Serial No. 82**, entitled:

Senate Committee to Examine Secret Agreement Prohibiting Students from Transferring from One University or Professional School to Another

On the question,

Will the Senate adopt the resolution?

SENATE RESOLUTION, SERIAL NO. 82, ADOPTED

Mr. DONOLOW. Mr. President, I move the adoption of this resolution.

Mr. MAHADY. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

A voice vote having been taken, the question was determined in the affirmative and the resolution was adopted.

COMMUNICATIONS FROM THE GOVERNOR

APPROVAL OF SENATE BILLS

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor, advising that the following Senate Bills had been approved and signed by the Governor:

SB 86, 115, 306, 317, 318, 439 and 629.

NOMINATION BY THE GOVERNOR
REFERRED TO COMMITTEE

He also presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations:

MEMBER OF THE BOARD OF TRUSTEES OF
EAST STROUDSBURG STATE COLLEGE

July 18, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Nicholas Petrole, Market Street, Tresckow, Carbon County, for appointment as a member of the Board of Trustees of East Stroudsburg State College, until the third Tuesday of January 1963, and until his successor shall have been appointed and qualified, vice Mrs. Elizabeth Petrole, Tresckow, deceased.

DAVID L. LAWRENCE.

ANNOUNCEMENTS BY THE SECRETARY

The following announcements were read by the Secretary of the Senate:

COMMITTEE MEETINGS
WEDNESDAY, JULY 19, 1961

Eastern Daylight Saving Time	Committee	Room
9:30 A.M.	HIGHWAYS	542
10:15 A. M.	EDUCATION	302
10:30 A. M.	BANKING	302
11:00 A. M.	STATE GOVERNMENT (See hearing below)	535
11:30 A. M.	FORESTS AND WATERS, GAME AND FISH	539A
	REPUBLICAN CAUCUS	10:45 A.M., D.S.T.

NOTICE

The Committee on Local Government will continue its hearing on House Bills 1221 and 1438 at 10:00 a.m., Daylight Saving Time, on Wednesday, July 19, 1961 in the Senate Democratic Caucus Room.

HEARING ON HOUSE BILL 1162

The Committee on State Government will hold a hearing on House Bill 1162 at 11:00 a.m., Daylight Saving Time, on Wednesday, July 19, 1961 in Room 535.

Mr. WEINER. Mr. President, I ask that the Senate be at ease for a few moments.

The PRESIDING OFFICER. The Senate will be at ease.
(The Senate was at ease.)

ADJOURNMENT

Mr. WEINER. Mr. President, I move that the Senate do now adjourn until Wednesday, July 19, 1961, at 10:45 a.m., Eastern Standard Time.

Mr. LANE. Mr. President, I second the motion.
The motion was agreed to.

The Senate adjourned at 4:59 p.m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

TUESDAY, July 18, 1961

The House met at 12 o'clock noon, e. s. t.

The SPEAKER (Hiram G. Andrews) in the Chair

PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

O God of infinite love and compassionate mercy, as humble servants of Thine we come before Thee in this afternoon hour. We recognize that the perfect love which Thou hast shown and dost continue to show will cast out the fears and doubts which continue to plague us in life's daily experiences. So, O God of love, we turn to Thee with the prayer that each one of us may through sincere dedication and consecration come to know that perfect love in our lives as well: through Jesus Christ, our Lord. Amen.

The SPEAKER. The Chair would like to inform the majority leader that at his early convenience he would like to confer with the gentleman from Fayette, Mr. Kornick, the gentleman from Philadelphia, Mr. Fineman, and the two floor leaders.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Monday, July 17, 1961, will be postponed until printed.

The Chair hears none.

PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. RUDISILL asked and obtained permission for the Committee on Judiciary to meet during the session of the House.

Mr. WALSH asked and obtained permission for the Committee on Cities—Third Class to meet during the session of the House.

REPORTS FROM COMMITTEE

Mr. GRAY from the Committee on Public Health and Sanitation, reported as committed, House bill No. 292, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), requiring that rubbish be covered when transported and fixing penalties.

Mr. KISTLER from the Committee on Public Health and Sanitation, reported as committed, House bill No. 1339, entitled:

An Act amending the act of July 11, 1917 (P. L. 758), entitled "An act for the protection of public health by regulating the possession, control, dealing in, giving away, delivery * * * and use of certain drugs, and keeping records thereof * * *." Changing penalties for illegal sale, dispensing or giving away of drugs.

Mr. KISTLER from the Committee on Public Health and Sanitation, reported as committed, House bill No. 1340, entitled:

An Act amending the act of July 11, 1917 (P. L. 758), entitled "An act for the protection of the public health by regulating the possession, control, dealing in, giving away, delivery, dispensing, administering, prescribing, and use

of certain drugs * * *, and by providing for the enforcement of this act, and penalties," giving trials for violation of the act precedence over all other criminal trials, and regulating postponements.

Mr. MAGEE from the Committee on Judiciary, reported as committed, House bill No. 1625, entitled:

An Act to provide for an additional law judge of the court of common pleas in the fiftieth judicial district, and making an appropriation.

Mr. ISAACS from the Committee on Judiciary, reported as committed, Senate bill No. 20, entitled:

An Act establishing a separate orphans' court in and for the County of Bucks.

Mr. IRVIS from the Committee on Judiciary reported as committed, Senate bill No. 52, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania repealing section sixteen thereof which authorized the borrowing funds for the acquisition of toll bridges.

Mr. ROVANSEK from the Committee on Counties, reported as committed, Senate bill No. 106, entitled:

An Act amending the act of August 5, 1941 (P. L. 803), entitled as amended "An act providing for the creation maintenance and operation of a county employes' retirement system in counties of the fifth sixth seventh and eighth class . . ." requiring the creation of a county retirement system in counties of the fifth and sixth class.

Mr. T. F. SULLIVAN from the Committee on Public Health and Sanitation, reported as committed, Senate bill No. 342, entitled:

An Act providing for the certification by the Secretary of Health of operators in responsible charge of water supply systems and water treatment plants specifying the classifications of water supply systems and water treatment plants and the grades of certificates for operators thereof requiring that only certified operators may operate certain plants and systems providing for revocation and suspension of certificates and providing for penalties and civil relief.

Mrs. KOOKER from the Committee on Public Health and Sanitation, reported as committed, Senate bill No. 343, entitled:

An Act amending the act of September 26, 1951 (P. L. 1539), entitled "The Analytical-Biochemical-Biological Laboratory Act" removing certain exemptions and providing for rules and regulations.

Mr. GRAY from the Committee on Public Health and Sanitation, reported as committed, Senate bill No. 344, entitled:

An Act providing for the certification by the Sanitary Water Board of operators in responsible charge of sewage treatment plants specifying the classifications of sewage treatment plants and the grades of certificates for operators thereof requiring that only certified operators may operate certain plants providing for revocation and suspension of certificates and providing for penalties and civil relief.

Mr. LAWSON from the Committee on Public Health and Sanitation, reported as committed, Senate bill No. 345, entitled:

An Act regulating sewage disposal systems in the interest of preserving the health of the people of the Commonwealth requiring permits to be issued to persons installing sewage disposal systems imposing certain duties

on the Department of Health and on municipalities and providing penalties.

Mr. STANK from the Committee on Highways, reported as committed, Senate bill No. 496, entitled:

An Act amending the act of May 5, 1927 (P. L. 787), entitled "An act establishing certain public roads as State highways . . ." changing a route and adding a new route in Delaware County.

Mr. POLASKI from the Committee on Cities—Third Class, reported as committed, Senate bill No. 748, entitled:

An Act amending the act of July 15, 1957 (P. L. 901), entitled "Optional Third Class City Charter Law" making annual post audits optional.

Mrs. KOOKER from the Committee on Public Health and Sanitation, reported as committed, Senate bill No. 788, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929" authorizing the Department of Health to institute a blood plasma protein recovery program.

Mr. GIBBONS from the Committee on Counties, reported as amended, House bill No. 318, entitled:

An Act amending the "Third Class County Board Assessment Law" approved June 26, 1931 (P. L. 1379), imposing certain minimum limitations on making assessments.

Mr. GIBBONS from the Committee on Counties, reported as amended, House bill No. 407, entitled:

An Act amending "The Fourth to Eighth Class County Assessment Law," approved May 21, 1943 (P. L. 571), imposing certain temporary restrictions on the taxing authorities of political subdivisions affected by the provisions of said act.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 292, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), requiring that rubbish be covered when transported and fixing penalties.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1339, entitled:

An Act amending the act of July 11, 1917 (P. L. 758), entitled "An act for the protection of public health by regulating the possession, control, dealing in, giving away, delivery * * * and use of certain drugs, and keeping records thereof * * *." Changing penalties for illegal sale, dispensing or giving away of drugs.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1340, entitled:

An Act amending the act of July 11, 1917 (P. L. 758), entitled "An act for the protection of the public health by regulating the possession, control, dealing in, giving

away, delivery, dispensing, administering, prescribing, and use of certain drugs * * *, and by providing for the enforcement of this act, and penalties," giving trails for violation of the act precedence over all other criminal trials, and regulating postponements.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1625, entitled:

An Act to provide for an additional law judge of the court of common pleas in the fiftieth judicial district, and making an appropriation.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 20, entitled:

An Act establishing a separate orphans' court in and for the County of Bucks.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 52, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania repealing section sixteen thereof which authorized the borrowing funds for the acquisition of toll bridges.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 106, entitled:

An Act amending the act of August 5, 1941 (P. L. 803), entitled as amended "An act providing for the creation maintenance and operation of a county employes' retirement system in counties of the fifth, sixth, seventh and eighth class . . ." requiring the creation of a county retirement system in counties of the fifth and sixth class.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 342, entitled:

An Act providing for the certification by the Secretary of Health of operators in responsible charge of water supply systems and water treatment plants and the grades of certificates for operators thereof requiring that only certified operators may operate certain plants and systems providing for revocation and suspension of certificates and providing for penalties and civil relief.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 343, entitled:

An Act amending the act of September 26, 1951 (P. L. 1539), entitled "The Analytical-Biochemical-Biological

Laboratory Act" removing certain exemptions and providing for rules and regulations.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 344, entitled:

An Act providing for the certification by the Sanitary Water Board of operators in responsible charge of sewage treatment plants specifying the classifications of sewage treatment plants and the grades of certificates for operators thereof requiring that only certified operators may operate certain plants providing for revocation and suspension of certificates and providing for penalties and civil relief.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 345, entitled:

An Act regulating sewage disposal systems in the interest of preserving the health of the people of the Commonwealth requiring permits to be issued to persons installing sewage disposal systems imposing certain duties on the Department of Health and on municipalities and providing penalties.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 496, entitled:

An Act amending the act of May 5, 1927 (P. L. 787), entitled "An act establishing certain public roads as State highways . . ." changing a route and adding a new route in Delaware County.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 748, entitled:

An Act amending the act of July 15, 1957 (P. L. 901), entitled "Optional Third Class City Charter Law" making annual post audits optional.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 788, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administration Code of 1929" authorizing the Department of Health to institute a blood plasma protein recovery program.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Mr. HELM IN THE CHAIR.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The clerk of the Senate being introduced, returned

bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 943.

An Act amending the act of April 17, 1929 (P. L. 527), entitled "An act providing for the recovery and collection of municipal claims by action of assumpsit * * *" by extending the time within which actions of assumpsit may be brought to six years.

HOUSE BILL No. 1494.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey .0806 acres of land more or less situate in the city of Bethlehem Northampton County.

HOUSE BILL No. 1495.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey .096 acres of land more or less situate in the city of Bethlehem Northampton County.

HOUSE BILL No. 1644.

An Act authorizing any person diving in any waterway with the aid of a mechanical device to place a buoy at or near the place of submergence.

With the information that the Senate has passed the same without amendment.

SENATE MESSAGE

AMENDED SENATE BILL CONCURRED IN BY SENATE

The clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows:

SENATE BILL No. 100.

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" by making persons over sixteen years of age subject to certain penal provisions of the act.

SENATE MESSAGES

The clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Amended House bills returned for concurrence Nos. 197 and 1174.

Senate insists on amendments and appointment of Conference Committee on House bills Nos. 853, 990 and 1407.

COMMUNICATION FROM GOVERNOR

The secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 1297.

Commonwealth of Pennsylvania
Governor's Office, Harrisburg

July 17, 1961

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 1297, printer's No. 1513, entitled "An Act amending the act of December 20, 1933 (1933-34 P. L. 89), entitled 'An act appropriating the moneys in The State Stores Fund' providing for additional kinds of insurance."

DAVID L. LAWRENCE.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1177, entitled:

An Act making an appropriation to the Department of Public Welfare for certain training courses at John J Kane Hospital and other institutions.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1768, entitled:

An Act amending the act of January 5, 1952 (P. L. 1833), entitled as amended "An act to provide for the coverage of certain officers and employes of the Commonwealth and its political subdivisions under the old-age and survivor insurance provisions of Title 11 of the Federal Social Security Act as amended * * *" removing the limitation on retirement benefits.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1814, entitled:

An Act imposing a tax for general public school purposes in school districts of the first class A on salaries wages commissions and other compensation earned from businesses professions or other activities conducted by residents thereof * * *.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House bill 1813, entitled:

An Act repealing section 663 act of March 10, 1949 (P. L. 30) known as the "Public School Code of 1949" abolishing the levy and assessment of per capita taxes by school districts of the first class having a population of less than one million five hundred thousand persons and providing for the collection of due and delinquent taxes.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 527, entitled:

An Act amending the act of October 27, 1955 (P. L. 744), entitled as amended "Pennsylvania Human Relations Act" increasing the membership of the commission and changing quorum provisions.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 746, entitled:

An Act to regulate the sale and distribution for agricultural purposes of ground limestone burned and hy-

drated lime gypsum slag and related products in the Commonwealth of Pennsylvania conferring powers and imposing duties on the Department of Agriculture establishing fees making an appropriation and prescribing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Dougherty for Mr. BOIES for today.

FORMER MEMBER WELCOMED

The SPEAKER pro tempore. The Chair notes the presence in the hall of the House of a former distinguished member, the gentleman from Washington, the Honorable C. O. Williams.

ANNOUNCEMENT

The SPEAKER pro tempore. The Chair has been asked to announce that when the bell is rung for the first time during any day's session that is a warning to the members that the House is prepared to start business, not necessarily a first roll call. The first bell that is rung during the day throughout the Capitol is an announcement that we are ready to start the session.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 663, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code" prohibiting debt pooling business voiding contracts for debt pooling and providing penalties.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—181

Adams,	Gelfand,	Lee, A. M.,	Royer,
Anderson, S. A.,	George,	Lee, K. B.,	Rubin,
Arlene,	Gibb,	Leonard,	Rudisill,
Ashton,	Gibbons,	Limper,	Rutherford,
Auker,	Goldstein, J. H.,	Long, Wm. Jos.,	Sakulsky,
Bachman,	Goldstein, M. H.,	Lutty,	Scarcelli,
Backenstoe,	Goodrich,	Markley,	SchAAF,
Blair,	Gramlich,	Marsh,	Schuster,
Bossert,	Gray,	May,	Seltzer,
Bower,	Greenlee,	McCandless,	Shelton,
Branca,	Gremminger,	McCann,	Sherman,
Breth,	Gross,	McCormack,	Shupnik,
Buchanan,	Guesman,	McDevitt,	Simmmons,
Bush,	Guthrie,	McDonald,	Slack,
Capano,	Hamilton,	McInroy,	Snare,
Capitolo,	Hankins,	McKeever,	Stank,
Cioffi,	Hartley,	McLaughlin,	Steckel,
Clarke,	Haudenschild,	McNally,	Stummel,
Cooley,	Heavey,	Meholchick,	Stiteler,
Crossin,	Helm,	Miller,	Strausser,
Curwood,	Henzel,	Monroe,	Sullivan, J. A.,
Davis,	Hocker,	Morley,	Sullivan, T. F.,
Denger,	Holl,	Mullen,	Taylor,
Dennison,	Holliday,	Munley,	Thompson,
Donaldson,	Irvic,	Murphy,	Tomascik,
Dougherty,	Isaacs,	Murray,	Tompkins,

Doughten, Edwards, Ellberg, Elvey, Eshback, Eshleman, Esler, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Flynn, Foor, Fox, Frascella, Fry, Fulmer, Galley, Gallagher,	Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Keiser, Kelly, Kernaghan, King, Kistler, Klein, Knecht, Kooker, Kornick, Korns, Kramer, Lamb, Lawson,	Musto, Needham, O'Dell, O'Donnell, J. P., Odorisio, Ogilvie, Parlante, Pashley, Perry, Petrosky, Polaski, Polen, Prendergast, Pursley, Reibman, Reidenbach, Renwick, Riley, Rovanseck,	Trusio, Varner, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Whittaker, Willard, Willaredt, Williams, E. S., Wilt, Wood, Yetter, Zember, Zimmerman, Andrews,
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Speaker

NAYS—11

Anderson, J. H., Bowman, Reffner,	Horst, Lippincott, Magee,	Manbeck, Merry, Piper,	Williams, A. D., Worley,
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NOT VOTING—18

Boles, Bonner, Cauley, Cianfrani, Comer,	Down, Forester, Holman, Kessler, Long, Wm. Jas.,	Maxwell, Mihm, Mills, O'Donnell, J. A.,	Price, Stone, Ujobal, Wynd,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 639, entitled:

An Act limiting landowners liability for personal injuries suffered by any persons while hunting or fishing upon or who has entered for his own purposes on the landowner's property.

On the question,

Will the House agree to the bill on third reading?

MOTION TO RECOMMIT

Mr. FINEMAN. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary for the purpose of further study and possible amendment.

On the question,

Will the House agree to the motion?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Clearfield, Mr. Breth.

Mr. BRETH. Mr. Speaker, I yield to the gentleman from Philadelphia, Mr. Fineman.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Fineman.

Mr. FINEMAN. Mr. Speaker, I want to address myself to the motion and not deal with the merits of this bill, as is the order of business, and I hope those who take the floor to oppose me, if any, will likewise confine their remarks to the motion and not to the merits of the bill.

I know that very frequently, when it is our intention to kill a bill, we make a motion to recommit the bill and say it is for the purpose of further study and pos-

sible amendments. And I say today, I would like to see this bill recommitted for the purpose of further study and possible amendments. I say this in all honesty and with deepest sincerity and with no thought in mind that my motion for recommitment is made for the purpose, the sole purpose, of burying this bill.

Mr. Speaker, the reason I make this motion is this: Earlier in this session there was a House bill introduced that is in every word identical to Senate bill 639. Senate bill 639 is the identical bill that was introduced in this House. That bill, which concerns a subject that best could probably be treated by members of the House who are attorneys, was referred to the Committee on State Government, of which I am chairman.

Now in spite of the fact that the Committee on State Government is headed by an attorney and in spite of the fact that there are several more attorneys on that committee, I felt that this bill, because of the sweeping effect of its provisions, should be studied by a group of attorneys, should be reviewed by men who by experience, by education and by profession are equipped to deal with the implications that are inherent in the language of this bill, and I re-referred the bill to the Judiciary General Committee. That bill came up for study by the chairman of the Judiciary General Committee and the bill was re-referred and is presently in the hands of a subcommittee for study.

Now, Mr. Speaker, so sweeping is the impact of the provisions of this bill, that the statutory law committee of the Pennsylvania Bar Association is likewise studying this very bill. And I have had it under consideration and will report to this legislature as soon as they make a determination.

Now, notwithstanding the fact that Senate bill 639, when it was referred in the Senate, was referred to the Judiciary General Committee of that chamber, notwithstanding the fact that we have an identical House bill that was referred to the Judiciary General Committee of this chamber, notwithstanding the fact that we have the Pennsylvania Bar Association studying the provisions of this bill, we now find that Senate bill 639 was referred to the Agricultural Committee of the House of Representatives.

Mr. Speaker, I do not wish to cast any aspersions on the members of the Agricultural Committee. As a matter of fact, I think that they will be the first to agree with me and will recognize that they are certainly not as well equipped to comprehend the implications and the impact of this bill upon the general field of negligence law as are the members of the Bar, and it is only fitting and proper that this bill be studied by the Judiciary General Committee, which in fact that committee is presently doing. It was for that purpose that a subcommittee was appointed.

Now there are only two lawyers on the Agricultural Committee. On the day that this bill was considered by that committee, one lawyer was absent and the other lawyer who was present voted against the bill.

I say, Mr. Speaker, this bill has not received the kind of consideration that it is properly entitled to, because, without going into the merits of the bill, suffice it to say that the impact on the field of negligence law that this bill creates is tremendous; it changes the whole field

of the law of negligence so far as owners of lands are concerned.

I say, Mr. Speaker, that this is a bill that should be considered by lawyers. We should at least respect the fact that we have a Judiciary General Committee in this House. We should respect the fact that that Committee has undertaken a course of action with respect to this bill, that it is not reposing there and going to die a natural death in that committee.

I know that the chairman of the Judiciary General Committee has requested that he be presented by the proponents of this bill with citations, with authorities, which give rise to the need for this type of legislation. It has been now some four or five weeks since he has been promised these citations by the proponents and, as of the date of this debate, these citations have not been furnished to him, and I say it would be an affront to the Judiciary General Committee and an affront to the chairman of that committee to now consider this bill without its having gone through the channels of the Judiciary Committee of this House.

Mr. BRETH. Mr. Speaker, much as I have admired and respected the opinions of the gentleman from Philadelphia, Mr. Fineman, yet I feel I must oppose his motion to recommit this bill to the Judiciary General Committee.

This bill originated in the other chamber on May 9. There was plenty of opportunity to study it. It was referred to the Judiciary General Committee over there. They reported it. It was on the calendar for a while, debated, and finally passed the Senate 37 to 7 with debate. I have no doubt but that the various factors included in this bill were apparently discussed and I believe acted upon after thorough and complete consideration over there.

I believe this bill should remain on the calendar and should be voted on if possible today. I do not wish to be placed in any position of reflecting any discredit upon our own committee—I do not believe that is the issue here. I believe the issue is simply that this bill has been on the calendar, it has had plenty of opportunity for study by all the legal lights of this chamber and the other chamber, none of whom have come forward with any amendments, none of whom have come forward with any suggestions, and therefore I believe that this bill should remain on the calendar and come up for a vote today.

Mr. FINEMAN. Mr. Speaker, I want to say, first of all, that there are amendments to this bill which have been prepared that have been held in abeyance pending the disposition of my motion to recommit this bill. There are amendments. There are several amendments that I know of, and in all probability there will be more than several finally offered.

The second point I want to make is this: the gentleman from Clearfield says this bill received consideration by the Senate, by its committee over there, and therefore we, in effect, since it has been on our calendar for a long period of time do not have to have it studied by the so-called legal lights any further. If that be so, then I say to you, Mr. Speaker, the only bills that the committees of the House should consider are House bills that originate in here, because if any bill originates in the Senate and

passes that chamber, then you have to presuppose that it has received consideration by the committee of that chamber and there is no need for us to study it; let us just rely on the Senate. They have all the brains over there, and let us not examine the bills ourselves. Any time a Senate bill comes over here, let us just accept it; let us not look into it ourselves or study the impact of the thing.

One further point I would make mention of is this: Mr. Breth fails to mention the fact that the Pennsylvania Bar Association—and certainly everyone admits that here is a body of men equipped to study the impact of these things, whose advice and counsel we should look for—are presently studying the very bill that we have before us. The statutory law committee of the Pennsylvania Bar Association has this under consideration and we certainly should not move until we hear from that body.

Mr. A. W. JOHNSON. Mr. Speaker, I would like to interrogate the gentleman from Philadelphia, Mr. Fineman.

The SPEAKER pro tempore. Will the gentleman from Philadelphia, Mr. Fineman, permit himself to be interrogated?

Mr. FINEMAN. I shall, Mr. Speaker.

Mr. A. W. JOHNSON. Mr. Speaker, I realize we cannot discuss the merits of the bill, but I note the fact mentioned that it should be studied further and is being studied by the Judiciary Committee and the statutory committee of the bar association, so the members of the House will understand the legal implications. We know, for instance, coming on your premises are either licensees, social guests, business guests or trespassers. In what category would you say is a person coming on your land to hunt? What category would he come under? Let us say, first, he comes on your land without permission. This is a typical case where the farmer is—

The SPEAKER pro tempore. The Chair feels the gentleman is getting into the merits of the bill. The motion before this House is to recommit. If we want to discuss the merits of the bill, we will do that when the bill reaches final passage.

Mr. A. W. JOHNSON. All right, Mr. Speaker, I will withdraw that question and ask another.

The gentleman says that a similar House bill is presently being studied by the Committee on Judiciary. Is it not true that this bill was referred to the Committee on State Government on January 26?

Mr. FINEMAN. That is absolutely correct.

Mr. A. W. JOHNSON. And it was re-referred to the committee on March 8?

Mr. FINEMAN. Whatever the date was I do not know.

Mr. A. W. JOHNSON. That is what the history says.

Then the gentleman stated that there is a subcommittee in Judiciary studying this bill. Can the gentleman state to the House when this bill in Judiciary was referred to a subcommittee?

Mr. FINEMAN. I would not know the exact date off-hand, no.

Mr. A. W. JOHNSON. Would the gentleman say that it was probably right after March 8?

Mr. FINEMAN. I would not know the exact date off-hand. Perhaps the chairman of the Judiciary General Committee might be able to fill in the date, but I know

this: I know that the proponents of the bill were requested by the chairman of the Judiciary General Committee to present to him citations, legal citations, of cases that indicated, that pointed up, the need for this kind of legislation. To date of this debate those citations have not been presented to him.

In addition to that fact, I know that the Judiciary General Committee, the subcommittee has been waiting to hear from the Pennsylvania Bar Association on what they think about this bill, because the gentleman, as an attorney, must recognize that this bill has sweeping changes in the field of negligence law built right into it—things that the average lay person cannot see.

As a matter of fact, I am not quite certain that all of the attorneys, including myself, see the full significance of this bill, because it is a complete change from what has been the established, well-fixed law of this Commonwealth for many, many years.

Mr. A. W. JOHNSON. A further question, Mr. Speaker. The gentleman says that the purpose of your amendment is to send this bill back to the Judiciary General Committee for further study?

Mr. FINEMAN. The purpose of my motion.

Mr. A. W. JOHNSON. The gentleman is saying the purpose is not to kill the bill; it is to send it back for further study?

Mr. FINEMAN. That is right.

Mr. A. W. JOHNSON. And when does the gentleman figure that the Judiciary General Committee would have their study completed so the bill could be re-referred to the floor?

Mr. FINEMAN. To give an accurate answer to that I would have to indulge in some kind of mind reading or conjecturing.

Mr. A. W. JOHNSON. Would the gentleman say 1963?

Mr. FINEMAN. I am not on the subcommittee and have no control over when the study will be completed or anything else, or when the Pennsylvania Bar Association will be in touch with them.

The SPEAKER pro tempore. Does the gentleman from McKean desire to be recognized?

Mr. A. W. JOHNSON. Mr. Speaker, I want to oppose the motion to recommit on behalf of the thousands of landowners in Pennsylvania who are interested in the passage of this bill and I ask that the members vote against this motion.

The bill has been in the House since it was introduced on January 26; it was referred to the Judiciary General Committee on March 8, and here it is late in July. It seems that adequate time has been had for the study of this bill. I believe the bill should be debated on this floor and given a vote either for or against today and not wait until 1963.

The SPEAKER pro tempore. The Chair has a number of requests for recognition and will get to the gentleman in time. The Chair recognizes the gentleman from Washington, Mr. Murphy.

Mr. MURPHY. Mr. Speaker, I agree with the gentleman from McKean County that we have had ample time to study the purview of this bill, as well as the bill that was introduced here in the House. This bill has remained on the calendar for several weeks, giving any and all attorneys here ample time to examine the bill

and propose whatever amendments they would like. At the end of the discussion I would like to ask for a roll call on the motion.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Schuylkill, Mr. Heffner.

Mr. HEFFNER. Mr. Speaker, I rise against the motion for recommitment. I, too, am a member of the Judiciary General Committee, as Mr. Fineman is. It is true that we were studying a bill in committee, but it was not this bill. This bill came from the Senate, out of the Senate Judiciary Committee, where it had been studied. The Speaker, using his own discretion, referred it to a committee other than the Judiciary General Committee. We had no control over it; we deserve no consideration of this bill. This standing committee, the Committee on Agriculture, reported it out of committee and it is before us now for consideration.

I disagree with those who say that this is going to be such a shocking and novel thing in our law. The effect of this bill, if passed, will make everyone who comes on your land for hunting and fishing merely a trespasser. It is nothing more than that.

The SPEAKER pro tempore. The gentleman will suspend. The gentleman is out of order in that he is speaking on the merits of the bill. The gentleman will confine his remarks to the motion to recommit.

Mr. HEFFNER. That is all I have to say, Mr. Speaker, thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Berks, Mr. Adams.

Mr. ADAMS. Mr. Speaker, inasmuch as the House Judiciary Committee has had what Mr. Fineman referred to as an identical bill, and has had it in committee for several months and allegedly has been studying it, I am afraid that if this bill is recommitment for study it is going to be studied to death.

Mr. Fineman may be sincere in his desire to bring it out after it has been studied and probably amended, but inasmuch as he is not on that committee he would not have any say as to whether it would come out of committee or not, and I feel that killing this bill will be a disservice to two large segments of our people, both the farmer and the hunter, in taking away hunting lands, so I oppose recommitment.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Fineman.

Mr. FINEMAN. Mr. Speaker, I just want to say that I object to some of the members getting up to the microphone and saying that this is going to be a disservice to this group or to that group. They do not know enough about this bill to say who it is going to be a disservice to. Why not own up to it? There is only a small segment of our population that is going to be affected by this bill. We do not know whether we are discriminating, to what extent they are exempted, whether property damage is going to be involved or just personal injuries involved. This thing has a million ramifications and it is no part of this discussion, who is going to be affected by it. The issue simply before the House is whether or not the proper committee should be circumvented in order to get a bill pried loose.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Gelfand.

Mr. GELFAND. Mr. Speaker, I rise in support of Mr. Fineman's motion to recommit this bill and these are my reasons:

First, in debating the motion to recommit we oftentimes commit excesses in our exuberance. Mr. Breth, I believe, did that very thing because he said that this bill was debated extensively in the Senate and received a resounding vote of the majority in that body, and it is now over here, went through the Committee on Agriculture and is on the floor for consideration.

I have taken the liberty of examining the Journal of the Senate for the day involved and I have read the debate. At the risk of imposing upon this House, I would like to read the entire debate that occurred in the Senate.

The SPEAKER pro tempore. The gentleman cannot read the debate of the other body of this legislature.

Mr. GELFAND. Mr. Speaker, I will not impose on the House by reading the comments in the Senate, but I will say this, what occurred over there took place in one sentence in the Journal.

The SPEAKER pro tempore. Will the gentleman yield?

Mr. GELFAND. I will not yield, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will suspend.

Mr. GELFAND. I will suspend on that line.

The SPEAKER pro tempore. The question before this House is a motion to recommit. The gentleman is not in order to discuss the bill at this time.

Mr. GELFAND. Mr. Speaker, I will speak on the motion to recommit.

The SPEAKER pro tempore. The gentleman is in order if he confines his remarks to the motion to recommit. The gentleman cannot discuss the record in the Senate.

Mr. GELFAND. Mr. Speaker, the Pennsylvania Bar Association, which consists of a great many of the lawyers of this Commonwealth, has appointed a committee to investigate the problems involved in this bill. This committee—

Mr. ADAMS. A point of order, Mr. Speaker.

POINT OF ORDER

The SPEAKER pro tempore. For what purpose does the gentleman rise?

Mr. ADAM. I rise to a point of order, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state it.

Mr. ADAMS. Mr. Speaker, he is not talking on the motion to recommit, as we observe it.

Mr. GELFAND. Mr. Speaker, if the gentleman will desist for just a moment he will see that I am.

The SPEAKER pro tempore. The Chair will be as lenient as possible but would like to request the gentleman to confine his remarks to the motion to recommit.

Mr. GELFAND. The purpose for the motion to recommit is to permit this bill to be studied at length, so that the committee involved can go into all the facets and aspects and the implications of this type of legislation. The problems involved are not simple. To prove the fact that the problems involved are not simple ones, we can only refer to the committee of the Pennsylvania Bar Association which is now undergoing a study of these very problems. They feel that the import of the legislation involved here cuts across many facets of the law

of invitee, the law of torts, the law of negligence, and requires more study than has been given to it in this body up to the present time. I happen to agree with the Pennsylvania Bar Association in that respect. I think that we do a disservice to the Commonwealth by hastily passing legislation which requires adequate study.

As Mr. Fineman has already indicated, on its face the bill looks like a simple piece of legislation, but in all of its implications and ramifications it cuts across many aspects of the law. Although I deign to say this, and I know that I do this at the peril of my profession, the fact is that lawyers better understand these problems than do laymen, because lawyers are trained to understand these problems and they can more readily examine them. Therefore, I think it is imperative that this type of legislation go back to a committee that can examine it in all of its aspects, because if we pass legislation of this nature and we pass legislation that is bad, all we do is compound a bad problem. We do not assist it.

I do not think that putting it back into committee for further study is going to kill it, and if it does mean that we are going to delay a little, if we get better legislation in the long run, who is damaged by it? Therefore, I am heartily in favor of the motion of Mr. Fineman. The bill right now, as far as I am concerned, does not tackle the problem properly. It does a disservice to the community. At the risk of having a poor piece of legislation, weighed against adequate study, which may take a little longer, I think that the latter course better serves the community. For that reason I am in favor of Mr. Fineman's motion.

Also, I would like to point out this fact: Despite the fact that the other body did weigh this type of legislation, every member who voted against this bill in the other body was a lawyer, which is an indication that there is some merit to what Mr. Fineman says, that the bill should be weighed fully and adequately so that when it is brought out on the floor for vote we will have a good piece of legislation that can pass and will better serve the Commonwealth. I follow Mr. Fineman and I heartily request that everybody vote in favor of his motion to recommit this bill.

RULING

The SPEAKER pro tempore. The Chair would like to read from Mason's Legislative Manual the ruling concerning permitting the debate from the other body.

It is a breach of order in debate to notice what has been said on the same subject in the other house or the particular vote or majorities on it there because the opinion of each house would be independent and not influenced by the proceedings of the other and because referring to or quoting the proceedings in one house might cause reflection leading to a misunderstanding between the two houses.

That precedent has been established by former Houses on many occasions.

The Chair now recognizes the gentleman from Dauphin, Mr. Bowman.

Mr. BOWMAN. Mr. Speaker, lest there be any doubt that the proponents of this motion are exclusively Philadelphia lawyers, I rise to support this motion.

This legislation is difficult, difficult to lawyers. I doubt that any two lawyers could agree on the significance of

this legislation before us. It is precisely the type of thing that needs the consideration and study of the entire Judiciary Committee. It is exactly the reason why that committee functions. Whether the committee has before it another bill of similar or exact context or not, the fact remains that this legislation, be it this House bill number or Senate bill number, requires continued serious study.

For these reasons I support the motion to recommit.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Delaware, Mr. Lippincott.

Mr. LIPPINCOTT. Mr. Speaker, I merely want to say that I support wholeheartedly the gentleman from Philadelphia, Mr. Fineman, in his motion.

I think the implications of this bill are so drastic legally that it would change the law of this Commonwealth as it has existed for nearly 200 years. I think we should definitely recommit this bill and I further say that 1963 would not be too early to reconsider it.

The SPEAKER pro tempore. The gentleman from York, Mr. Rudisill, yields to the gentleman from Allegheny, Mr. Irvis.

The Chair recognizes the gentleman from Allegheny, Mr. Irvis.

Mr. IRVIS. Mr. Speaker, I do not want to inject any further into this debate the question of who is better capable of understanding a piece of legislation, a lawyer or a non-lawyer.

I do wish to point out to the House that those of us who serve on the Judiciary Committee have had this or similar legislation under study for several weeks and have as yet been unable to agree among ourselves as to the implications of this type of legislation to the people of this Commonwealth.

I can assure the members of this House, Mr. Speaker, that as soon as we are able to reach such a decision we will announce it either by reporting the bill or by not reporting the bill; that what we are asking this afternoon in this motion to recommit is that those of us who have given this problem serious consideration not find all of our efforts completely in vain by a hasty vote taken, perhaps, inadvisedly, this afternoon.

I, therefore, suggest, Mr. Speaker, that every member, every member of this House of Representatives, interested in the orderly procedure of committee work in this House, support Mr. Fineman's motion to recommit.

The SPEAKER pro tempore. The Chair recognizes the gentleman from York, Mr. Rudisill.

Mr. RUDISILL. Mr. Speaker, I am sure that all of my friends here are, that is, if I have any friends—I should say colleagues—will agree that it is only the most impelling thing that would cause me to get behind a microphone, and that impelling thing is this: That the gentleman from Philadelphia said it would be an affront to the chairman of the Judiciary General Committee of this House if this bill were not recommitted to the Judiciary General Committee.

It seems to me in this particular matter there is only one thing to be decided, and that is the legislative processes as between committees and between chairmen of committees, the legislative comity that should exist between committees.

I will not speak upon the merits of the bill, because I come from a rural county and I understand the prob-

lems of landowners with respect to hunters and fishermen, and I sympathize with these landowners. But I say that when a bill has been put into one committee, and when the chairman of that committee has gone to the ends that I have gone to to make a study of that bill, I think there should be some legislative comity between the several committees. I went to some length. We studied it. It was not a matter of passing this bill by because I personally was interested and am still interested in the intent, and I would like to see it studied by the committee.

As has been said, however, there was certain information the proponents of this bill had promised me and which is not forthcoming. So I say, this is not a vote on the merits of this bill, but it is a vote as to whether or not, when a bill has been put into one committee where it is being studied, a similar Senate bill should be placed in another committee.

I have never done any interrogating, but I would, with the permission of the Speaker, please, like to ask just one question of the chairman of the Agriculture Committee, the gentleman from Cambria, Mr. Farabaugh.

The SPEAKER pro tempore. Will the gentleman from Cambria, Mr. Farabaugh, permit himself to be interrogated?

Mr. FARABAUGH. I shall, Mr. Speaker.

Mr. RUDISILL. I would like to ask, Mr. Speaker, of the gentleman from Cambria, whether he, as chairman of the Agriculture Committee from whence this Senate bill was reported to the floor, would oppose this motion of recommitment, and, further, if this bill were recommitted to the Judiciary General Committee, whether he would join with me in making a proper study of this bill with the intention of reporting out a good bill?

Mr. FARABAUGH. Mr. Speaker, I am not certain how to answer the first question. I told Mr. Rudisill I would not openly oppose the recommitment of this bill. I say now I will not oppose the recommitment provided we have an assurance that this bill will be studied and come out for a vote before this session is closed.

Mr. RUDISILL. Mr. Speaker, the second part of my question was: That if this bill were recommitted to the Judiciary Committee, whether or not the chairman of the Agriculture Committee would join with me in making a special study of this particular bill because I, too, am interested in the intent of this particular legislation?

Mr. FARABAUGH. Mr. Speaker, I would be glad to do that.

Mr. RUDISILL. I thank the gentleman from Cambria.

It is only for the reason that I have stated and not the merits of the bill that I join with the gentleman from Philadelphia, Mr. Fineman, in asking for an affirmative vote on this motion for recommitment.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Monroe, Mr. Yetter.

Mr. YETTER. Mr. Speaker, I rise to oppose the motion to recommit this bill. I want to support the Speaker in referring this bill to the Agriculture Committee, of which I am a member. I think we farmers know something about land ownership and use. I am a landowner and also a hunter and a fisherman. And I think that this legislation should be voted on today, or at least have a chance for an open debate.

Mr. Farabaugh asked the chairman of the Judiciary

Committee whether he would report out a like bill and have it debated on the floor. My friend, chairman of the Judiciary Committee, avoided the question. I think that we should have an opportunity to debate this bill and vote on it today. I would appreciate everybody opposing the motion to recommit.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Adams, Mr. Worley.

Mr. WORLEY. Mr. Speaker, the farmers want this bill enacted into law and I do not see why the hunters and fishermen would not want it too.

If the gentleman from Philadelphia wants to offer amendments, he can offer them on the floor of this House, so that we can all consider these amendments.

I oppose this motion to recommit and ask you to keep this bill on the calendar for action and passage by this House of Representatives. It will be in the interest of all the farmers and all of the sportsmen of this Commonwealth.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Cambria, Mr. Andrews.

Mr. ANDREWS. Mr. Speaker, as a member of this House, I long ago became of the opinion that certain bills of vital interest, which were apparently a subject of prolonged debate in committees, should eventually be referred to this House for determination. The Pennsylvania Bar Association have done this, and the lawyers are smarter than anybody else. Lawyers are members of this House, and I say to the members of this House, as Speaker and as a member of this House for many years, that the time comes when the eminent lawyers should present their arguments to the other lawyers in this House and to the other members for a final determination of a crucial bill which should perish or survive upon the verdict of this House, and not upon the verdict of the committee.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Fineman.

Mr. FINEMAN. Mr. Speaker, I think the speaker's remarks find their origin perhaps in his feeling that there has been an attack on him by the proponents of this motion to recommit. And I want to say to him that no reflection was intended to be cast upon him. We have to keep in mind that there are, I think, some two thousand bills that have now come to him this session for referral. It is only normal that there be inconsistency in his referrals, and I must state that there is an inconsistency here because the House bill that is identical in language, identical in every word, was referred to the State Government Committee and here we have the identical bill being referred to the Agricultural Committee. Certainly that is an inconsistency.

Now if we were to subscribe—

POINT OF ORDER

Mr. YETTER. I rise to a point of order.

The SPEAKER pro tempore. The gentleman will state it.

Mr. YETTER. Mr. Speaker, if Mr. Fineman is so interested that the House be run according to the rules, I would like to remind the Speaker that he has been up for about five or six times debating this bill.

Mr. FINEMAN. You have but to gavel me down or ask

to have me gavelled down, and I will sit down, Mr. Yetter, if that is what you want.

The SPEAKER pro tempore. This is an important bill and the Chair has tried to be as lenient as possible under the discussion of this motion. The gentleman has not encroached upon the time of the House or any other member. The gentleman will proceed.

Mr. FINEMAN. Mr. Speaker, I am quite surprised at hearing what I heard from the lips of our Speaker. I have heard him say so many times, and I have heard him advocate, the importance of the workings of every committee. I have heard him say that the true working arm of the legislature is its committees. That is where the work is done. That is where the chaff is separated from the wheat. That is where the defects of legislation should be pointed up and amended out of bills so that, when a bill is brought to the floor, it is brought in a form that is as near perfect as possible. Have we not heard him advocate larger working quarters for our committees? If we are going to be content with merely having a bill put through a perfunctory routine in a committee and reported out to the floor for full debate on the floor, without preliminary searching and examination of that bill, then we might as well disregard our committees and discard them completely. I am sure that is not his belief and I would like to invite the Speaker, and I am sure the chairman of the Judiciary General Committee joins me in this invitation, to come to one of our Judiciary General Committee meetings. Let him hear the discussion that goes on, the examination of all aspects of a bill, and he will know—

The SPEAKER pro tempore. The Speaker does not have to have an invitation to attend a meeting; the speaker is an ex-officio member of all committees.

Mr. FINEMAN. Well, if that is so, I ask him to be good enough to come to the next Judiciary General Committee meeting and he will know that a true consideration, a true examination, is made of every piece of legislation that comes before that committee.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Cambria, Mr. Andrews.

Mr. ANDREWS. No one admires the legal talents of the gentleman from Philadelphia more than I. I admire him as a person and I admire him as a legal light. But I say to you that some day the day of decision must come. And delay delays decision. Now, I gather that the vital issue presented by this bill has been under consideration since early in the session. It is not something that is new; it is not something that we are hurrying through a responsible committee. But if the committee cannot agree, if the problem is too big, the time comes when somebody must refer the matter to the House. We either pass on it this year or we will decide that it is too difficult and we defer it to next year.

Now there should be some way to eventually get a definite report from a committee, and I agree that working committees properly staffed with facilities with which to work are the backbone of this House. But I also agree, or at least I say, that a question that has been at issue since January, or was it February, I do not know when, we should either have a report of progress and a report as to whether the committee can or cannot agree and then, in view of such a report, the House would be in a position to determine what its mind wants. And if we

could have a conference report or a report that the committee is not prepared to report at this session, then the matter could be dumped into the lap of the House for such action as they want, and someone sometime must call for decision.

I am sorry that the gentleman from Philadelphia is in such pronounced disagreement with the Speaker. And I am not speaking as Speaker, I am speaking as a member of this House.

The SPEAKER pro tempore. The Chair would like to correct one mistake that he made and that is that the Speaker is a member ex-officio of all committees. That is not so. It is the respective floor leaders who are members ex-officio of all committees.

The Chair recognizes the gentleman from Philadelphia, Mr. Fineman.

Mr. FINEMAN. Mr. Speaker, may I have the privilege of interrogating the venerable gentleman from Cambria County?

The SPEAKER pro tempore. Will the gentleman from Cambria, Mr. Andrews, permit himself to be interrogated?

Mr. ANDREWS. I should use the function of the court and ask the gentleman to submit a brief, such as to the range of his controversy. As an ignorant layman, unacquainted in the intricacies of the law, I would suggest to him that there are certain penalties of the court incident to the act of entrapment.

The SPEAKER pro tempore. The Speaker will permit himself to be interrogated, but there will be no lawyer's questions.

Mr. FINEMAN. These are entirely unloaded questions.

Mr. Speaker, you stated in your remarks that this bill had received consideration since its referral in the early part of the session. You know for a fact, do you not, first of all that this bill was referred to the Committee on State Government?

Mr. ANDREWS. That was right. I referred it to the Committee on State Government knowing the eminent legal qualifications of the gentleman from Philadelphia and quite confident that the chairman of the Judiciary General committee would not object.

Mr. FINEMAN. "Beware of Greeks bearing gifts" do they not say? Nothing will help you now, sir.

The gentleman knows further that the bill was referred from the Committee on State Government to the Committee on Judiciary General?

Mr. ANDREWS. That is right. Another chapter in the history of a derailed cog.

Mr. FINEMAN. The gentleman heard the distinguished attorney from York, the chairman of the Judiciary General Committee, tell the members of this House to what end he has gone to examine the content of this bill and what he has done, did you not sir?

Mr. ANDREWS. I have.

Mr. FINEMAN. Does the gentleman regard his actions as the actions of a person, particularly coming from a rural area, whose intention it is to bury the bill, or the action of a person sincerely inquiring into the merits of the bill with the thought in mind of coming to a conclusion either yea or nay about the bill?

Mr. ANDREWS. I would no more question the official integrity of the chairman of the Judiciary General Committee than the chairman of the Judiciary General Com-

mittee would question the official integrity of the Speaker of this House.

Mr. FINEMAN. So then it is safe to say that the bill is receiving proper consideration by the committee in which it reposes at the present time?

Mr. ANDREWS. It has received consideration of skillful legal minds and, if the gentleman could tell me how long we are going to be here, I would take an entirely different position, but with the leadership of the House pressing for an early get-away, this is one issue that I believe should be determined at this date.

Mr. FINEMAN. Does the Speaker believe that because the session might in fact be in its closing days that a bill, no matter what its consequences, should be acted upon without proper consideration?

Mr. ANDREWS. I do not want to prolong this controversy. This bill has been considered and reconsidered and debated one way and another, I presume, in the committee, in two committees, two committees of equal jurisdiction.

Mr. FINEMAN. Mr. Speaker, you cannot know that as a fact. As a matter of fact I can tell you as Chairman of the State Government Committee I do not feel it has received sufficient consideration.

Mr. ANDREWS. Knowing the faculties, the intent and the integrity of the men involved, I am sure that this has received not only careful but prayerful consideration.

Mr. FINEMAN. Mr. Speaker, you are relying on an assumption that has no basis in fact at all. As a matter of fact, it is contrary to the actual facts that exist. I can tell you as chairman of the State Government Committee that when I saw this bill and recognized its implications, the merits of the bill were not considered in State Government. The bill was merely referred to Judiciary General, so in fact it did not receive any consideration at all by the State Government Committee.

However, if you will, Mr. Speaker,—and I know that you have no reason to argue to the contrary—assuming that this bill is now receiving proper consideration in a committee that is constituted to handle this type of legislation, do you share the belief that this House should preempt the decision of that committee as to what should be done with the bill?

Mr. ANDREWS. The gentleman is a gentleman of wide jurisdiction. He is chairman of one committee and a powerful member of the other. Why it makes any difference in which jurisdiction he presents his case, as long as he is in the proper court, I do not know.

Mr. FINEMAN. Now can we have an answer to my question, Mr. Speaker? Do you believe, Mr. Speaker, assuming that a committee is giving proper consideration to a bill, that this House should preempt the right of that committee to make a final decision about that bill?

Mr. ANDREWS. A responsible committee of this House, as sovereign as any other committee, has presented its opinion, its findings, and it is now within the jurisdiction of this House to determine the issue which the gentleman from Philadelphia raises. That is the judgment I seek. Let a jury determine the issue. He makes a motion to recommit. He states the facts. You have the facts and even though you come from a farm, some of you have had some experience in this House and have insight into the decisions of courts and, if we have to leave the final

decision to the Supreme Court, that is what we do. But the issue here is a motion made by the gentleman from Philadelphia and it is opposed without prejudice. He has stated his case and your decision is final. That is all there is to it.

Mr. FINEMAN. Then you believe that the consideration by the—

The SPEAKER pro tempore. The Chair will order a roll call as soon as the interrogation and debate on the motion is completed.

Mr. FINEMAN. I thank the gentleman.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Erie, Mr. O'Dell.

Mr. O'DELL. Mr. Speaker, I was simply going to rise to a point of order. We are so far afield from the motion to recommit and becoming a mutual admiration society, I move the former question, yes or no, on recommittal.

The SPEAKER pro tempore. Does the majority leader desire recognition?

Mr. McCANN. No, Mr. Speaker, I just wondered if I missed one point. When this thing first started, I thought the Speaker recognized the gentleman from Clearfield, Mr. Breth, and he yielded the floor to the gentleman from Philadelphia, and I kept wondering when it would get back to him because he had the floor all that time.

The SPEAKER pro tempore. I think the Chair did recognize the gentleman the second time, did he not?

Mr. McCANN. He says not.

The SPEAKER pro tempore. The Chair apologizes. The Chair certainly did not intend to pass him up.

Mr. BRETH. Mr. Speaker, the erudition and the lucidity of the arguments kept me speechless.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Messrs. MURPHY and BOWMAN and were as follows:

YEAS—53

Auker,	Gibbons,	Lippincott,	Reibman,
Bachman,	Guesman,	Lutty,	Riley,
Backenstoe,	Holman,	Magee,	Rovanssek,
Bowman,	Irviss,	McCormack,	Rudisill,
Clarke,	Isaacs,	McDevitt,	Schaaf,
Dengler,	Kamyk,	McDonald,	Schuster,
Donaldson,	Kernaghan,	McLaughlin,	Shelton,
Doughten,	Klein,	Mullen,	Sherman,
Esler,	Kornick,	Needham,	Sullivan, T. F.,
Fineman,	Kramer,	Odorisio,	Taylor,
Foerster,	Lamb,	Petrosky,	Tomasclik,
Fulmer,	Lee, A. M.,	Polaski,	Verona,
Galley,	Leonard,	Prendergast,	Welsh,
Gelfand,			

NAYS—144

Adams,	George,	Lee, K. B.,	Royer,
Anderson, J. H.,	Gibb,	Limper,	Rubin,
Anderson, S. A.,	Goldstein, J. H.,	Long, Wm. Jos.,	Rutherford,
Arlene,	Goodrich,	Manbeck,	Sakulsky,
Ashton,	Gramlich,	Markley,	Scarcelli,
Blair,	Gray,	Marsh,	Seltzer,
Bonner,	Greenlee,	Maxwell,	Simmons,
Bossert,	Gremminger,	May,	Slack,
Bower,	Gross,	McCandless,	Snare,
Branca,	Guthrie,	McCann,	Stank,
Breth,	Hamilton,	McInroy,	Stimmel,
Buchanan,	Hankins,	McKeever,	Stiteler,
Bush,	Hartley,	McNally,	Stone,
Capano,	Haudenschild,	Meholchick,	Strausser,
Capitolo,	Heavey,	Merry,	Thompson,
Comer,	Heffner,	Miller,	Tompkins,
Cooley,	Helm,	Mills,	Ujobal,
Crossin,	Henzel,	Morroe,	Varner,
Curwood,	Hocker,	Morley,	Wall,

Davis,	Holl,	Munley,	Walsh,
Dennison,	Holliday,	Murphy,	Wargo,
Dougherty,	Horst,	Murray,	Weldner,
Edwards,	Jenkins,	Musto,	Wescott,
Ellberg,	Jim,	O'Dell,	Whittaker,
Elvey,	Johnson, A. W.,	O'Donnell, J. A.,	Willard,
Eshback,	Johnson, R. P.,	O'Donnell, J. P.,	Willaredt,
Eshleman,	Jones,	Ogilvie,	Williams, A. D.,
Ewing,	Kelser,	Parlante,	Williams, E. S.,
Fetterolf,	Kelly,	Pashley,	Wilt,
Filo,	Kessler,	Perry,	Wood,
Flynn,	King,	Piper,	Worley,
Foor,	Kistler,	Polen,	Wynd,
Fox,	Knecht,	Price,	Yetter,
Frascella,	Kooker,	Pursley,	Zemmer,
Fry,	Korns,	Reidenbach,	Zimmerman,
Gallagher,	Lawson,	Renwick,	Andrews,
			Speaker

NOT VOTING—13

Boles,	Down,	Long, Wm. Jas.,	Steckel,
Cauley,	Farabaugh,	Mihm,	Sullivan, J. A.,
Cianfrani,	Goldstein, M. H.,	Shupnik,	Trusio,
Cioffi,			

So the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

MOTION TO LAY BILL ON TABLE

Mr. PRENDERGAST. Mr. Speaker, I move that the bill be laid on the table, and I ask for a roll call.

Mr. FINEMAN. I second the motion.

The SPEAKER pro tempore. The motion by the gentleman from Northampton, Mr. Prendergast, is in order.

On the question,

Will the House agree to the motion?

The SPEAKER pro tempore. For what purpose does the gentleman from Philadelphia, Mr. Gelfand, rise?

Mr. GELFAND. To discuss the motion, Mr. Speaker.

The SPEAKER pro tempore. The motion is not debatable.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Messrs. PRENDERGAST and FINEMAN and were as follows:

YEAS—45

Bachman,	Gibbons,	Lippincott,	Reibman,
Backenstoe,	Guesman,	Lutty,	Riley,
Bowman,	Holman,	Magee,	Rudisill,
Clarke,	Irviss,	McCormack,	Schaaf,
Dengler,	Isaacs,	McDonald,	Schuster,
Donaldson,	Kernaghan,	Musto,	Sherman,
Doughten,	Klein,	Needham,	Sullivan, T. F.,
Esler,	Kramer,	Odorisio,	Taylor,
Fineman,	Lamb,	Petrosky,	Tomasclik,
Fulmer,	Lee, A. M.,	Polaski,	Verona,
Galley,	Leonard,	Prendergast,	Welsh,
Gelfand,			

NAYS—149

Adams,	Gibb,	Long, Wm. Jos.,	Rubin,
Anderson, J. H.,	Goldstein, J. H.,	Manbeck,	Rutherford,
Anderson, S. A.,	Goldstein, M. H.,	Markley,	Sakulsky,
Arlene,	Goodrich,	Marsh,	Scarcelli,
Ashton,	Gramlich,	Maxwell,	Seltzer,
Blair,	Gray,	May,	Shelton,
Bossert,	Gremminger,	McCandless,	Shupnik,
Bower,	Gross,	McCann,	Simmons,
Branca,	Guthrie,	McDevitt,	Slack,
Breth,	Hamilton,	McInroy,	Snare,
Buchanan,	Hankins,	McKeever,	Stank,
Bush,	Hartley,	McLaughlin,	Stimmel,
Capano,	Haudenschild,	McNally,	Stiteler,
Capitolo,	Heffner,	Meholchick,	Stone,
	Helm,	Merry,	Strausser,

Comer,	Henzel,	Miller,	Thompson,
Crossin,	Hocker,	Mills,	Tompkins,
Curwood,	Holl,	Monroe,	Ujobal,
Davis,	Holliday,	Morley,	Varnier,
Dennison,	Horst,	Munley,	Wall,
Dougherty,	Jenkins,	Murphy,	Walsh,
Edwards,	Jim,	Murray,	Wargo,
Ellberg,	Johnson, A. W.,	O'Dell,	Weidner,
Elvey,	Johnson, R. P.,	O'Donnell, J. A.,	Wescott,
Eshback,	Jones,	O'Donnell, J. P.,	Whittaker,
Eshleman,	Kamyk,	Ogilvie,	Willard,
Ewing,	Kelser,	Parlante,	Willaredt,
Farabaugh,	Kelly,	Pashley,	Williams, A. D.,
Fetterolf,	King,	Perry,	Williams, E. S.,
Filo,	Kistler,	Piper,	Wilt,
Flynn,	Knecht,	Polen,	Wood,
Foerster,	Kooker,	Price,	Worley,
Foor,	Kornick,	Pursley,	Wynd,
Fox,	Korns,	Reidenbach,	Yetter,
Frascella,	Lawson,	Renwick,	Zember,
Fry,	Lee, K. B.,	Rovansek,	Zimmerman,
Gallagher,	Limper,	Royer,	Andrews,
George,			Speaker

NOT VOTING—16

Boles,	Cioffi,	Heavy,	Mullen,
Bonner,	Cooley,	Kessler,	Steckel,
Cauley,	Down,	Long, Wm. Jas.,	Sullivan, J. A.,
Cianfrani,	Greenlee,	Mihm,	Trusio,

So the question was determined in the negative and the motion was not agreed to.

The SPEAKER pro tempore. Does the gentleman from Northampton, Mr. Prendergast, desire recognition?

Mr. PRENDERGAST. Mr. Speaker, I yield to the gentleman from Erie, Mr. Schaaf.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Erie, Mr. Schaaf.

MOTION TO ADJOURN

Mr. SCHAAF. Mr. Speaker, I move that this House do now adjourn until 10 a.m., e. s. t., Wednesday, July 19, 1961.

On the question.

Will the House agree to the motion?

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. McCANN. Mr. Speaker, I realize under the House rules that I can only speak for two minutes. I simply say that I ask the membership on this side of the House to vote "no" on the motion to adjourn.

The SPEAKER pro tempore. The Chair recognizes the minority leader.

Mr. A. W. JOHNSON. Mr. Speaker, it goes without saying that I do not know what this House is degenerating into. My goodness, we have legitimate business to do here today, and these tactics that are taking place here are, I think, reprehensible and are putting this House in disrepute all over Pennsylvania. We certainly should vote down this motion.

Just to circumvent things that are before us today by making motions like that I think is beneath the dignity of this House of Representatives. I ask everybody to vote "no."

MOTION TO ADJOURN WITHDRAWN

The SPEAKER pro tempore. For what purpose does the gentleman from Erie, Mr. Schaaf, rise?

Mr. BRETH. Mr. Speaker, the motion is not debatable.

The SPEAKER pro tempore. The point is well taken. The Chair asks the gentleman for what purpose he rises?

Mr. SCHAAF. Mr. Speaker, I simply want to withdraw the motion.

The SPEAKER pro tempore. The Chair thanks the gentleman.

For what purpose does the gentleman from Philadelphia, Mr. McCormack, rise?

Mr. McCORMACK. Mr. Speaker, I do not want to get into this debate, but I did want the Chair to answer a question of parliamentary inquiry. The question before the House at the time the motion to adjourn was made was whether this bill should pass finally. Under the rules—

The SPEAKER pro tempore. That is not correct. We had not agreed to the bill on third reading.

Mr. McCORMACK. Then how did the Speaker recognize the gentleman to make a motion when there was no question—

The SPEAKER pro tempore. A motion to adjourn is always in order, except when we are voting on a bill.

Mr. McCORMACK. Well, that is the question I would like to ask, Mr. Speaker. Voting on a bill, does that mean when the question is before the House—

The SPEAKER pro tempore. The Chair had not yet put the question.

Mr. McCORMACK. Wait until I finish, Mr. Speaker. The SPEAKER pro tempore. The gentleman will proceed.

Mr. McCORMACK. Does that provision in the rules mean that we have to actually be voting on the bill, actually voting, or a motion to adjourn cannot be made when the question is before the House before we actually physically vote?

The SPEAKER pro tempore. The members must be actually voting.

CONSTITUTIONAL POINT OF ORDER

The SPEAKER pro tempore. For what purpose does the gentleman from Philadelphia, Mr. Gelfand, rise?

Mr. GELFAND. Mr. Speaker, I rise to a point of order.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. GELFAND. I raise the question of the constitutionality of this particular legislation as being special legislation for a special classification of landowners.

The SPEAKER pro tempore. The gentleman has the right to raise a question of constitutionality. The Chair must put the question to the House.

Does the gentleman insist upon raising the question of constitutionality?

Mr. GELFAND. Yes, I do, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Philadelphia, Mr. Gelfand, raises the point of order that Senate bill No. 639, printer's No. 737, is unconstitutional.

The speaker, under rule 4, is required to submit questions affecting the constitutionality of a bill to the House for decision, which the Chair now does, and recognizes the gentleman from Philadelphia, Mr. Gelfand, to speak in favor of his point of order.

Mr. GELFAND. Mr. Speaker, this, too, is one of the problems that rises in this particular piece of legislation. When we had this legislation in committee and it was being discussed by a subcommittee of the Committee on Judiciary, this is one of the questions that I constantly had in mind.

I am not on the subcommittee of the Judiciary, but when the bill would have been brought to the committee for full discussion I would have raised this question, if I had not theretofore done so. I think, as I have already indicated in previous debate, that the legislation here under consideration has many ramifications, in addition to the question of tort law.

The Constitution of Pennsylvania specifically provides that no special legislation can be introduced or passed by the legislative bodies of Pennsylvania. This legislation, to my eyes, and I think that my objection is well taken, indicates that a landowner's liability shall be limited in certain instances when a person is hunting or fishing on his land. My question arises as to whether or not this does not provide legislation dealing with a certain area, and as such makes special legislation dealing with the individuals owning land which is used for hunting and fishing. How does this coincide with the liability, or how does this meet up with the liability, of landowners in other instances? Does this in some way act in derogation of what our Constitution by its very precepts forbids? I think this is something that must be fully considered by this legislature, and as a consequence of its full consideration it can only come to one conclusion and that is, that this type of legislation as it is written at the present time is in derogation of the very Constitution of Pennsylvania. Therefore, I am requesting a finding by this House. If we had more time to amplify our viewpoint, if I had had more opportunity to do more adequate research, I am sure I could have come up with case law to substantiate what I say. But due to the haste, due to the anxiety, of this body at this time, I feel unable to do so. Therefore, I raise this question now without having fully examined it, but with the visceral feeling that I am right, and I am requesting a finding on the constitutionality of this bill.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Delaware, Mr. Lippincott.

Mr. LIPPINCOTT. Mr. Speaker, I would like to make a motion in all sincerity, because I feel that this bill in its present form is totally defective and should not be voted on today.

Among other things, as I read the bill, if you took an amusement park operator who had defective machinery and a child went on there and was killed, that amusement park operator as a landowner would probably be immune to suit. I think there is a good purpose in this bill, but I think it should be limited and corrected.

BILL POSTPONED

Mr. LIPPINCOTT. I, therefore, move that the bill, together with the constitutional question, be placed upon the third reading postponed calendar.

On the question,

Will the House agree to the motion?

The SPEAKER pro tempore. The Chair recognizes the minority leader.

Mr. A. W. JOHNSON. Mr. Speaker, since I first got up and discussed the bill, and in conference with Mr. Lippincott on one of the clauses in the bill, I believe that what he has said makes a lot of sense and I certainly intend to go along with putting it on the postponed calendar with the idea of having the bill amended and put in proper shape.

The SPEAKER pro tempore. Does the gentleman from Clearfield, Mr. Breth, desire recognition?

Mr. BRETH, Yes, Mr. Speaker.

Mr. Speaker, in this particular situation of the lawyers against the common people, I have no objection to placing this bill on the postponed calendar, because I believe in the end that the will and wishes of the common people will prevail and it still will not be in jeopardy or danger on the postponed calendar. It will solve a very peculiar situation that has arisen for the last hour and ten minutes. I would concur in the gentleman's motion.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Lackawanna, Mr. Reidenbach.

Mr. REIDENBACH. Mr. Speaker, I second the motion to place the bill on the postponed calendar.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Messrs. LIPPINCOTT and REIDENBACH and were as follows:

YEAS—139

Anderson, S. A.,	Gibbons,	Limper,	Rovansek,
Arlene,	Goldstein, M. H.,	Lippincott,	Rubin,
Ashton,	Gramlich,	Long, Wm. Jos.,	Rudisill,
Bachman,	Gray,	Lutty,	Rutherford,
Backenstoe,	Greenlee,	Magee,	Sakulsky,
Bonner,	Gremminger,	Markley,	Schaaf,
Bowman,	Guesman,	Maxwell,	Schuster,
Branca,	Hankins,	McCann,	Shelton,
Breth,	Hartley,	McCormack,	Sherman,
Capitolo,	Haudenschild,	McDevitt,	Simmons,
Cloff,	Heavey,	McDonald,	Slack,
Ciarke,	Heffner,	McInroy,	Steckel,
Comer,	Helm,	McLaughlin,	Stimmel,
Cooley,	Holl,	McNally,	Stone,
Crossin,	Holliday,	Meholchick,	Strausser,
Davis,	Holman,	Mills,	Sullivan, J. A.,
Dengler,	Irviss,	Monroe,	Sullivan, T. P.,
Donaldson,	Isaacs,	Morley,	Taylor,
Doughten,	Jenkins,	Mullen,	Thompson,
Eilberg,	Jim,	Munley,	Tomasick,
Elvey,	Johnson, A. W.,	Musto,	Tompkins,
Eshleman,	Johnson, R. P.,	Needham,	Ujobai,
Esler,	Jones,	O'Donnell, J. P.,	Varner,
Ewing,	Kamyk,	Odoriso,	Verona,
Fetterolf,	Kelly,	Parlante,	Wall,
Filo,	Kernaghan,	Pashley,	Walsh,
Fineman,	Kistler,	Perry,	Wargo,
Foor,	Klein,	Petrosky,	Weidner,
Foerster,	Knecht,	Polaski,	Welsh,
Fox,	Kornick,	Polen,	Willaredt,
Frascella,	Kramer,	Prendergast,	Williams, A. D.,
Fulmer,	Lamb,	Pursley,	Wynd,
Galley,	Lawson,	Reibman,	Zember,
Gallagher,	Lee, A. M.,	Reidenbach,	Andrews,
Gelfand,	Leonard,	Riley,	Speaker

NAYS—58

Adams,	Fry,	Manbeck,	Renwick,
Anderson, J. H.	George,	Marsh,	Royer,
Auker,	Gibb,	May,	Seltzer,
Blair,	Goldstein, J. H.,	McCandless,	Shupnik,
Bossert,	Goodrich,	McKeever,	Stank,
Bower,	Gross,	Merry,	Stiteler,
Buchanan,	Guthrie,	Miller,	Wescott,
Bush,	Hocker,	Murphy,	Whittaker,
Capano,	Horst,	Murray,	Williams, E. S.,
Curwood,	Kelser,	O'Dell,	Wilt,
Dennison,	Kessler,	O'Donnell, J. A.,	Wood,
Edwards,	King,	Ogilvie,	Worley,
Eshback,	Kooker,	Piper,	Yetter,
Farabaugh,	Korns,	Price,	Zimmerman,
Flynn,	Lee, K. B.,		

NOT VOTING—13

Boies,	Down,	Long, Wm. Jas.,	Snare,
Cauley,	Hamilton,	Mihm,	Trusio,
Cianfrani,	Henzel,	Scarcelli,	Willard,
Dougherty,			

So the question was determined in the affirmative and the motion was agreed to.

THE SPEAKER (Hiram G. Andrews) IN THE CHAIR
BILL ON FINAL PASSAGE POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on final passage of Senate bill No. 104, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" granting the power to the Secretary of Highways to establish speed limits.

On the question recurring,
Shall the bill pass finally?

RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. FILO. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

The SPEAKER. The Chair recognizes the minority leader.

Mr. A. W. JOHNSON. Mr. Speaker, this is a very important piece of legislation. I consider this move to amend this bill an obvious delaying tactic by a violent opponent of this bill. Therefore, for the first time we are going to ask for a roll call on the question of whether the House will reconsider this bill or not.

The SPEAKER. The Chair recognizes the gentleman from Bucks, Mr. A. D. Williams, Jr.

Mr. A. D. WILLIAMS, Jr. I would like to second the motion of the minority leader and ask those who are in favor of voting on the merits of this legislation to vote against reconsideration at this time. This is a delaying, stalling tactic. We have seen too many of them in the last few days.

The SPEAKER. Does the majority leader desire recognition?

Mr. McCANN. Mr. Speaker, if I am correct, this would be the first time since I have been floor leader that we ever opposed in any manner such reconsideration. It may be that the precedent would have been set in other sessions. I cannot vouch for that, that the reconsideration of a bill on final passage, when a motion is made for the purpose of amendments, could lead to opposition so that the amendments could not be offered when it had reached the final passage stage. Would that be correct and, if so, I would like to ask the minority leader to inform the House?

The SPEAKER. The Chair recognizes the minority leader.

Mr. A. W. JOHNSON. In my requesting a roll call on the motion, I prefaced it by saying that it is the first time, to my knowledge, such a motion was ever made wherein we asked for a roll call on the question of reconsidering a vote by which a bill was agreed to on third reading. That is true. But in this particular instance there are at least ten other bills on this calendar that these amendments could be offered to. Why this bill was singled out this morning on an important issue like this is an obvious delaying tactic, and likewise the motion to ad-

journ the other night. There have been so many other unprecedented things done here on this bill that the sky is the limit. You can expect almost anything from here on out. It is perfectly in order that this motion be put to a roll call.

Mr. FILO. Mr. Speaker, in answer to the gentleman, I might say that unprecedented things have happened to this bill, because this truck bill was not in the original bill. He was the first one to do it.

Now, Mr. Speaker, if this thing is done to me, I will get up and oppose every piece of legislation that they will try to amend on third reading.

I say this, Mr. Speaker, this is not delaying tactics; this is to save lives in Pennsylvania, lives of your children, my children and somebody else's children. Mr. Speaker, I have sat before mothers and fathers of children who were killed by trucks, while they were weeping and I was weeping. Now, if you say this is delaying tactics, vote your way.

The SPEAKER. The Chair desires to state that both floor leaders on this matter of consideration have operated under the knowledge that any one member could have objected to the procedure and asked for a vote. And by agreement on particular bills, they have cleared them, but any member could have blocked any of the motions to reconsider that have been made. The fact they have not been blocked is because no member desired to do so.

Th Chair recognizes the gentleman from Westmoreland, Mr. Petrosky.

Mr. PETROSKY. Mr. Speaker and members of the House, I rise in support of the position of the member from Allegheny, Mr. Filo. I rise in opposition to the position taken by the minority leaders and seconded by the gentleman from Berks, Mr. Williams.

That I do so at this time is not because of consideration of Senate bill No. 104, but I do the same at this time as I would at any other time for any other member of the House. It is my sincere belief and, to my knowledge, the gentleman from Allegheny, Mr. Filo, is sincere in wanting to present amendments to this bill. As to the presentation of amendments, Mr. Speaker, I see no delay.

The SPEAKER. Will the gentleman yield?

Mr. PETROSKY. I shall, Mr. Speaker.

REQUEST FOR ROLL CALL WITHDRAWN

The SPEAKER. The Chair recognizes the minority leader.

Mr. A. W. JOHNSON. Mr. Speaker, on reconsidering and after discussion, we will withdraw our request for a roll call.

The SPEAKER. The gentleman withdraws his request for a roll call.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. FILO asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the clerk for information.

Amend Title, page 1, fourth line of Title, by inserting after "tractors" requiring certain semi-trailers to be equipped with emergency mechanical brakes

Amend Sec. 1, page 2, line 1, by striking out "SUB-SECTION (C) OF SECTION 902" and inserting: Section 816

Amend Bill, page 2, lines 3 and 4, by striking out both of said lines, and inserting: is amended by adding, after subsection (e), a new subsection to read:

Section 816. Brakes.—

* * *

(f) Every semi-trailer which is of a total length, including load thereon, of four hundred eighty (480) inches or more, and which is equipped with air brakes conforming to other requirements of this section shall, in addition thereto, be equipped with an emergency mechanical brake applicable by means of manual control at the discretion of the driver and also by automatically controlled application when the operating air pressure falls to a predetermined level. Such emergency brake shall be separate and independent from other air brakes and shall not interfere with the functioning of the regular air brakes with which the vehicle is equipped. Such emergency brake application shall be made by mechanical means capable of exerting a braking torque for each wheel equivalent to fifteen per cent (15%) of the gross weight of the vehicle.

Penalty.—Any person violating any of the provisions of this section shall, upon summary conviction before a magistrate, be sentenced to pay a fine of twenty-five dollars (\$25.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 2. Subsection (c) of section 902 of the act, amended July 21, 1959 (P. L. 551), and October 13, 1959 (P. L. 1312), is amended to read:

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Filo.

Mr. FILO. Mr. Speaker, briefly what these amendments do, if it comes to pass that we shall have larger, bigger trucks in the State of Pennsylvania, I want those trucks to traverse the State of Pennsylvania in a manner in which they should, in a manner where they have safety. There is a safety factor concerned.

I have numerous requests, ladies and gentlemen, to vote against this legislation, to vote against increased truck length.

My main reason for offering these amendments is so they would put additional safety brakes on these trucks. I say this, I am sincere, if these safety amendments are voted on, I will surely support the truck bill. That is all I am asking in these amendments. I am concerned with the safety of other people and children in Pennsylvania. As you know, the topography of our State is such that we have large hills, many steep grades, children and people are killed, property damaged, and that is the reason I am offering these amendments. I thank you.

The SPEAKER. The Chair recognizes the minority leader.

Mr. A. W. JOHNSON. Mr. Speaker, the amendments may have some merit. Of course, there is a bill on the calendar today which requires emergency and extra brakes on trucks to which these amendments could be graciously offered. This is a vitally important piece of legislation. We would like to have it come to a vote today. Therefore, I am asking the members to vote "no" on these amendments.

The SPEAKER. The Chair recognizes the gentleman from Fayette, Mr. Kornick.

Mr. KORNICK. Mr. Speaker, I rise to oppose these amendments. I feel that this bill had much consideration when the amendments were offered last week.

Therefore, today you may in good conscience vote on these amendments, but I ask the members on my side and your side to oppose these amendments.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Morley.

Mr. MORLEY. Mr. Speaker, this problem is essentially the same problem we have been discussing for two or three days: Which is to prevail in Pennsylvania, the safety and lives of our people or the profit of the trucking operators and the trailer manufacturers?

Over the years we have had so much difficulty with braking equipment on these rigs. I am not familiar in detail with the equipment, but I think if a decision is to be made it should be made on the side of safety and of the lives of the people of Pennsylvania.

I ask the members of this House to vote for these amendments.

The SPEAKER. The Chair recognizes the gentleman from Carbon, Mr. Bonner.

Mr. BONNER. Mr. Speaker, these amendments are simply another delaying action such as we witnessed last week. Representative Filo had these amendments prepared and was all set to offer them when the bill was first defeated and he withdrew the amendments simply because he knew the bill was going to fail. This is another tactic in delaying action on this bill.

We in our area who are greatly interested in this ask everyone's support to vote down these amendments because we can put these amendments in other safety bills.

The SPEAKER. The Chair recognizes the gentleman from Washington, Mr. Flynn.

Mr. FLYNN. Mr. Speaker, knowing Mr. Filo—he is a good friend of mine; we both happen to be in the western part of Pennsylvania—I do not doubt his sincerity so far as the safety measure is concerned. I would like to say, and I suggest, to the gentleman that he is a little late in his thinking so far as the safety measure is concerned and these amendments are concerned because this increase from 35 to 40 feet on these trailers does not increase the overall length of the truck as permitted now. The overall length is 50 feet, Mr. Speaker, and that is what it will still be in the final decision, 50 feet. The idea of these amendments is simply to cripple the bill and defeat the purpose and intent of the bill.

I would suggest to the members on both sides of the House to vote down these amendments.

The SPEAKER. The Chair recognizes the gentleman from Westmoreland, Mr. Petrosky.

Mr. PETROSKY. Mr. Speaker, I will be very brief. I rise to support the position of the gentleman from Allegheny, Mr. Filo, on the amendments offered to Senate bill 104.

Mr. Speaker, I do this because I believe the amendments have merit. The amendments have merit, Mr. Speaker, because, in my humble opinion as a layman and not as an engineer or not as an expert upon this question, I can only think in the area of where I cannot see by

any stretch of the imagination the safety feature of a 40-foot trailer assembly as compared to a 35-foot assembly as to maneuverability, as to its ease in handling, and as to the operators being able to control.

In my estimation, with the topography that we have in Pennsylvania, the hills and the dales, the mountainous terrain, there is no question in my mind that what is needed in the event we are today to vote to extend a solid vehicle from 35 to 40 feet, giving it an additional five feet of extension, that we must protect those, not just the vested interests that are interested in this legislation, but we must protect those millions of people who are on the highways by taking the precaution to place an emergency safety brake on these elongated vehicles so that we can at least be assured of some semblance of safety.

We have gone far in this legislative session in the area of highway safety, and I say to you, Mr. Speaker, ladies and gentlemen of the House, if we are to pass this measure without this added precaution on it, you must recognize full well that you may just wipe out the entire safety record, the safety legislative program, that we have instituted in this particular session.

I ask you to take this into consideration. I ask you to think of this and vote your conscience in this area on the amendments offered by the gentleman from Allegheny, Mr. Filo.

The SPEAKER. The Chair recognizes the minority leader.

M. A. W. JOHNSON. Mr. Speaker, this is the second time I have spoken on the bill; this will be my last time on this particular matter. I mentioned in my previous remarks that there is a bill on the calendar which does the identical thing that these amendments do. It is House bill No. 1774, which is on page 5 of today's calendar. The wording of this amendment is almost identical except that it uses the word "semi-trailers," and the one on the calendar says, "every commercial motor vehicle, motor truck, omnibus, truck, tractor or combination," and so forth. So, if you want these amendments to become the law of Pennsylvania all you have to do is give up Senate bill 104, call House bill 1744, and send it over to the Senate. You have the identical bill on the calendar that these amendments purport to do.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. FILO and A. W. JOHNSON and were as follows:

YEAS—86

Anderson, S. A.,	Greenlee,	McCormack,	Reidenbach,
Arlene,	Gremminger,	McDonald,	Riley,
Blair,	Hamilton,	McKeever,	Rubin,
Branca,	Hankins,	McLaughlin,	Rudisill,
Breth,	Hartley,	Miller,	Rutherford,
Capitolo,	Heavey,	Monroe,	Sakulsky,
Clarke,	Irlis,	Morley,	Scarcelli,
Comer,	Isaaca,	Mullen,	Schuster,
Crossin,	Jim,	Munley,	Shelton,
Dengler,	Jones,	Murphy,	Sherman,
Dougherty,	Kamyk,	Musto,	Shupnik,
Doughten,	Kelly,	Needham,	Stank,
Edwards,	Kernaghan,	O'Donnell, J. A.,	Stone,
Eilberg,	Klein,	O'Donnell, J. P.,	Sullivan, J. A.,
Eshleman,	Kramer,	Odorisio,	Sullivan, T. F.,
Filo,	Lamb,	Parlante,	Wall,
Fineman,	Lawson,	Pashley,	Walsh,
Frascella,	Lee, A. M.,	Perry,	Wargo,
Fry,	Leonard,	Petrosky,	Welsh,

Gelfand,
Gibbons,
Gray,

Limper,
Lippincott,
McCann,

Polaski,
Prendergast,

Worley,
Yetter,

NAYS—114

Adams,
Anderson, J. H.,
Ashton,
Auker,
Bachman,
Backenstoe,
Bonner,
Bossert,
Bower,
Bowman,
Buchanan,
Bush,
Capano,
Cioffi,
Cooley,
Curwood,
Davis,
Dennison,
Donaldson,
Elvey,
Eshback,
Esler,
Ewing,
Farabaugh,
Fetterolf,
Flynn,
Forester,
Foor,
Fox,

Fulmer,
Galley,
Gallagher,
George,
Gibb,
Goldstein, J. H.,
Goldstein, M. H.,
Goodrich,
Gramlich,
Gross,
Guesman,
Guthrie,
Haudenschild,
Heffner,
Helm,
Henzel,
Hocker,
Holl,
Holliday,
Holman,
Horst,
Jenkins,
Johnson, A. W.,
Johnson, R. P.,
Keiser,
Kessler,
King,
Kistler,
Knecht,

Kooker,
Kornick,
Korns,
Lee, K. B.,
Lutty,
Magee,
Manbeck,
Markley,
Marsh,
Maxwell,
May,
McCandless,
McDevitt,
McInroy,
McNally,
Meholchick,
Merry,
Mills,
Murray,
O'Dell,
Ogilvie,
Piper,
Polen,
Price,
Pursley,
Reibman,
Renwick,
Rovanseck,
Royer,
Schaaf,
Seltzer,
Simmons,
Slack,
Snare,
Steckel,
Stimmel,
Stiteler,
Strausser,
Thompson,
Tomascik,
Tompkins,
Ujbal,
Verona,
Weidner,
Wescott,
Whittaker,
Willard,
Willaredt,
Williams, A. D.,
Williams, E. S.,
Wilt,
Wood,
Wynd,
Zemmer,
Zimmerman,
Andrews,
Speaker

NOT VOTING—10

Boies,
Cauley,
Clanfrani,

Down,
Long, Wm. Jas.,
Long, Wm. Jos.,

Mihm,
Taylor,
Trusio,
Varner,

So the question was determined in the negative and the amendments were not agreed to.

The SPEAKER. The Chair recognizes the gentleman from Clarion, Mr. Varner.

Mr. VARNER. Mr. Speaker, I just wanted the record to show that I would have voted "no" on that amendment but I happened to be out of the House at that moment.

The SPEAKER. The remarks of the gentleman will be spread upon the record.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER. The Chair recognizes the lady from Lehigh, Mrs. Markley.

Mrs. MARKLEY. Mr. Speaker, my approach to this legislation approving the 40-foot trailer is purely on an economic basis.

We in Lehigh County, over the past two years, were being faced with a very serious loss of one of our most important industries, the Mack Trucks, Inc., who have been located in Allentown since 1905.

To give you a brief chain of the events over the past two years, in October of 1959 the first news of an impending move of Mack Trucks hit the local newspapers. This involved the movement of their Plainfield, New Jersey, plant. While the people in that location were trying to overcome the shock of this news, Allentown and Lehigh County became concerned as to what would happen to our plant. We knew we had to sell Allentown as the logical home for Mack Trucks and there did not seem much time in which to do this.

In October of 1959, Governor Lawrence and other State officials joined Allentown in a bid to have Mack consolidate its manufacturing activities in Allentown and the Lehigh Valley. A telegram from Commerce Secretary Davlin on behalf of the Governor assured the Mack people of the Commonwealth's deep interest in keeping the operations and expansion, and I quote, "of your fine company here in Pennsylvania and to offer the services and facilities of our great Commonwealth for the fullest possible extent toward this end." Secretary Davlin came to Allentown in May of 1960 and met with the city officials promising that his department, and I quote, "will maintain the closest possible liaison with the Mack situation." He further said: "Pennsylvania is extremely proud of Mack Trucks and Pennsylvania wants to do everything possible to see the plant kept here and enlarged." Ironically, I might say that the Commonwealth of Pennsylvania has yet to purchase a Mack truck for their use.

Rumors persisted throughout the spring of 1960 that Mack would leave Allentown. However, the officials of this organization advised that they had not received the results of their site survey organization; and that it was pure rumor.

Public tensions increased and the key phrase in our city was "Hope for the best, prepare for the worst." This was really a "war of nerves."

Several months later word was released that Mack would remain in Allentown until at least October of 1964. On June 8, 1961, newspaper headlines carried the good news, "Mack Expanding Their Plant Here—First Step is Costing One Million Dollars." I showed this to the members of the House in banner headlines.

This announcement electrified the entire Lehigh Valley and surrounding areas. Why this expansion—certainly, ladies and gentlemen, part of the program would include the legislation which we are here today considering. Their plans were to increase production, improve working conditions and provide for future expansion.

Perhaps you feel that I have been selfish in speaking of my own county. Do you know, ladies and gentlemen, how many counties have citizens employed by Mack? Eight counties: Luzerne, Berks, Schuylkill, Carbon, Monroe, Northampton, Bucks and Montgomery. Do you realize how many families are affected by this operation? In normal production, annual employment is approximately 4,000 workers including office, maintenance and production. Mack families total about 15,000 people, including husbands, wives and children. Can you realize what that means to our banks, our stores, an estimate operation of approximately 3,200 passenger cars and the purchase of oil, gasoline and other commodities, and what this means in housing, taxes and recreation?

Dare you consider what it would mean if we were to lose this industry? Do you realize how far-reaching the unemployment would be? This is an established industry. Employment creates a healthy climate for any community and certainly this legislation is an indication of what we may expect in future expansion.

Just about an hour ago I received this telegram from Allentown, addressed to me at the House of Representatives:

"Would appreciate your voting for the 40-

foot trailer bill, our Teamsters' Local Union 773 is in favor of the bill.

Paul M. Barnard, Secretary and Treasurer."

Ladies and gentlemen, I want you to be aware of the serious economic situation in our State and ask that you give your support to this legislation.

The SPEAKER. The Chair recognizes the gentleman from Washington, Mr. Flynn.

Mr. FLYNN. Mr. Speaker, last week during debate on Senate bill 104 the merits and demerits of the contents of the bill were thoroughly discussed. Those of us who support the intent of Senate bill 104 and realize the impact it would have on the economic future of our Commonwealth realize that there are those who, very much by the same token that we support the measure, are opposed to it.

I believe the remark was made on the floor last week, Mr. Speaker, I am not quite certain, but I am certain of this, the newspapers in general carried an article whereby they attributed defeat of Senate bill 104 last week only to the political bloc of lobbyists and also to two gentlemen who lobby for the Pennsylvania Railroad and the Sun Oil Company. Being associated with the glass industry, Mr. Speaker, unquestionably it would be loading and hauling of material. Any manufactured product such as plastic, glass or what have you that is light in weight, the manufacturer must pay, for example in the glass industry, a minimum weight load of 22,000 pounds. What he is actually hauling at the present, Mr. Speaker, is approximately 17,000 or 18,000 pounds. He is in effect paying for 4,000 or 5,000 pounds of weight he is not hauling. So being associated with the glass industry and being familiar with the trucking industry in connection thereto, last Saturday I had occasion to visit the Taggart Valley glass plant situated in Washington, Pennsylvania, and, lo and behold, what do I see at one of the loading docks but a 40-foot trailer, owned, operated and maintained by the Pennsylvania Railroad. Through the assistance of the staff photographer of the Washington Observer and Publishing Company in Washington, Pennsylvania, they very kindly came down and took photographs of this trailer. I have distributed copies of this photograph to the members of the House. Also, Mr. Speaker, to assure the members that this is no trick photography but an actual, authentic photograph, I had the serial number on the corner of the trailer blown up by the photographer and it appears that this was manufactured by the Fruehauf Trailer Company, and it specifically states on the banner stating the serial number that this is a 40-foot trailer. I did not have sufficient copies of the blow-up of the manufacturer's serial number, but here it is, an authentic picture and, I believe, there are representatives from that company in the hall of the House and they will be able to substantiate what I am saying.

But the fact remains, what I am trying to say, Mr. Speaker, in effect, is this: We have—and I want the people of Pennsylvania to realize this—these gentlemen who represent the Pennsylvania Railroad, who last week were very effective in lobbying against Senate bill 104, I would like to say this to the gentlemen: It is apparent to me, Mr. Speaker, that in theory they are opposed to it, but I can assure you, ladies and gentlemen of this House, in

practice they do not carry out their thinking as lobbyists in Harrisburg.

Mr. SPEAKER, this legislation means a lot to the people in western Pennsylvania and I think it is a fallacy for some of the people who oppose this measure because they do not substantiate what they are trying to do. I would suggest to all members on both sides to vote in favor of this measure.

The SPEAKER. The gentleman from Fayette had requested that he be allowed to close the debate.

The Chair recognizes the gentleman from Philadelphia, Mr. Morley.

Mr. MORLEY. Mr. Speaker, once again I get back to my topic of the previous discussion, the lives and safety of the people of Pennsylvania.

I have listened to a number of reasons in the last three or four days why this bill should be passed. I have yet to hear one good reason. They talk of providing jobs. I would like to remind you, Mr. Speaker, that dead men do not need jobs.

I have the largest plant manufacturing trailer or trailer components in the State of Pennsylvania on the edge of my district. Hundreds of the people who work in that plant live in my district. They voted to send me here to the legislature, but I also have 125,000 other people to represent and I think they are entitled to representation here in the House.

I was amazed in the last few days when the proponents of this bill admitted on the floor of this House, the men who were advocating this bill, that they do not know what a fifth wheel is. That is one of those situations in which Winston Churchill said, "The imagination is baffled by the facts." For anybody to come before this House and advocate a thing like this with so little knowledge of the problem is hard for me to understand. I could discuss this thing all night, but do not worry, I will not.

I have been associated in one way or another with this problem since I was a small boy. I remember when these semi-trailers were first developed. I remember when a fifth wheel was not a manufactured product; you had to go to a blacksmith's shop and have it built. I have watched this thing year after year, highway designers, traffic engineers, safety engineers have racked their brains trying to get this problem under control and every time they think they have it under control the trucking industries, the automobile companies, the tire companies or somebody else can move in to make more money. Ladies and gentlemen, today we stand almost where we did 25 years ago on this problem. We are killing our people. Those people are entitled to representation.

In closing, I would like to say a word for thousands of people who could not be here today; in fact, they cannot be here ever. They are dead. They are the victims of this equipment on our highways. I think for this legislature to aggravate this problem and to tip the balance in favor of this hazardous equipment in view of the situation we have here in Pennsylvania today is out of the question, and I ask the members on both sides of this House to vote against this bill.

Mr. PIPER. Mr. Speaker, the gentleman before me spoke of safety. I patrolled the highways for many years and found that our truck drivers are the safest drivers on the highways. They try to obey the law. They help people who are in trouble and they operate those trucks

in a safe manner, except today you find them traveling faster than the speed limits, which I do not condone. But, nevertheless, the fact that these trailers will be a little longer will not decrease the safety of them. They are inspected four times a year by our official inspection stations. Therefore, I think they have ample inspection as to what is needed for safety.

I come from a county in which we have several large steel factories. We have the Parish Pressed Steel which manufactures trailer frames, car frames, and I am sure that if these people continue to manufacture these frames it will increase our employment. It will help to create jobs in our locality. The equipment company that operated the Brown Trailer Company in Reading had to go out of business because other States were manufacturing larger trailers. They could not get their trailers out of Pennsylvania without being liable to arrest.

Not only that, it helps our pretzel industry, our tobacco industry, our furniture industry, pre-fab homes, and other bulky items that do not weigh much but take up a lot of room.

I think, and every member of this House should think of this, that it is going to create jobs for us; it is going to help us. We should vote for this bill and help to pass it.

We sent out questionnaires to the chambers of commerce, manufacturers' associations, other industry in the county of Berks and our question was this: Since the attraction of new industry, along with expansion of present industry, provides the only solution to unemployment, what do you have to suggest? And the question, what State programs should be accelerated to provide additional employment in your area? Pass the 40-foot trailer bill. I ask everybody in this House to vote for this bill. Thank you.

Mr. BONNER. Mr. Speaker, my interest in this bill is the same as that of the lady from Lehigh, Mrs. Markley, strictly economical. For that reason I want to speak to some of my friends in the House to help us put this bill over.

I come from the anthracite coal field and everyone knows the decline of anthracite was because modern heating devices helped put them out of business. Now the trucking industry is on the rise. People from Carbon County are working on Highway Trailers in Hazleton; they are working on Mack motors in Allentown, in Lehigh County, and we have opportunity to expand these industries. I particularly appeal to my friends from Philadelphia. I was really amazed and bewildered when I read the record of those who voted against this bill last week. For this reason, Mr. Speaker, Philadelphia had delegations come up here at the beginning of this session—

The SPEAKER. The Chair would suggest that the gentleman confine his remarks to the bill. It is just a suggestion.

Mr. BONNER. Thank you, Mr. Speaker, I will. But I want to remind Philadelphia that we went along with every proposal they had and this is the only one we are asking for.

I want to remind them also, Mr. Speaker, that they have other bills coming up.

Mr. Speaker, before you recognized me I heard you say that you would give the gentleman from Fayette the opportunity to close the debate, have the last word. Well, I want to remind the Philadelphia delegation that the last

word on this bill will not be said here today. If this bill goes down, the last word on this bill will be heard on election day, November 1962, and that from me being a Democrat. I appeal to them as a Democrat to give us some support on this bill.

Thank you, Mr. Speaker.

The SPEAKER. The Chair has several more requests to be heard, does the gentleman from Bucks desire to be heard now?

Mr. A. D. WILLIAMS, Jr. No, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Schuylkill, Mr. Heffner.

Mr. HEFFNER. Mr. Speaker, I will be very brief. I spoke in favor of this bill last week when it was before us. I told the members, on that particular day, that a vote for this bill is a vote for progress and a vote for industry in Pennsylvania, both in the acquiring of new industry and for existing industry.

We, here in the legislature, have as one of our pet projects the Pennsylvania Industrial Development Authority. We are proud of the accomplishment of that organization headed by our Commerce Department. The Governor in his speech at the Pennsylvania Power and Light Company dedication last week talked about the accomplishments of the Pennsylvania Industrial Development Authority, how it has acquired new jobs for our citizens and lauded its efforts. One of the industries which the organization helped to bring to Pennsylvania was the Highway Trailer plant in Hazleton, Pennsylvania. This plant employs formerly unemployed coal miners and others in that area.

Mr. Speaker, let us be consistent. We cannot on one day in this House of Representatives vote in favor of industrial development, appropriate millions of dollars to aid our industries in Pennsylvania, and then in the next breath, on another day, take all of that great work away from us by voting against a bill such as we have here today.

This bill has merit; this bill will help existing industry. For example, the largest single employer in Schuylkill County, the Aluminum Company of America, the ALCOA Plant, called me before I came to this session on Monday and expressed sincere disappointment that the House of Representatives defeated this bill last week. They told me that it is vital for their industry, that every State in the Union except West Virginia and Pennsylvania have this legislation, and why are we voting against progress, why are we voting to retain an unfair competitive advantage against the people of Pennsylvania. These industries compete in other States and they need every element of competition in their favor and this bill would certainly do this. I ask all of you to vote for this bill. Let us vote for progress in Pennsylvania today.

The SPEAKER. The Chair will recognize the gentleman from Allegheny, Mr. Leonard, and then will recognize the gentleman from Bucks, Mr. Williams.

Mr. LEONARD. Mr. Speaker, members of the House, I have not changed my mind one bit since last week. I feel the same way about this bill today as I felt about it last week.

In listening to the remarks of those who are talking in favor of the bill, it got me to wondering how in the world these people got along for the last six months. We have been in session for six months and we are about to quit,

and now you come in with a bill like this. They must have been getting along pretty good, have they not?

There is something haywire around here so far as I can figure out. When you want to sell something, it is the best possible article in the world regardless of the consequences. These big trucks, like they said in 1957, I think it was, could not get along unless they got that heavier weight. What have they done since then? They came in like they did this time with a mob to try to scare you fellows into voting their way. They are not scaring me, not for one moment. I am here representing the people of my district and I have in mind, first of all, their security, their welfare. The death of one person by these monsters that are traveling the highways is more important to me than all of the money that the truckers can make. We are not going to suffer if the truckers go out of business today; you know that as well as I know it.

We know too that thousands and thousands of railroaders throughout the State of Pennsylvania are walking the streets because the truckers have replaced them. The railroads are traveling on their own property, while the automobile owners who maintain the highways of this State are traveling in their own cars in competition with these fellows. I have in mind the man in back of the wheel of that truck. He is a human being the same as we are; he needs protection. That is his job. So why jeopardize his job? Why make it worse than it is? I am against making it worse than it is. I am for humanity first and finances afterward.

I did not ask anybody to vote for the bill; I did not ask anybody to vote against the bill; I did not run up the aisle here whispering into peoples' ears to change their minds like some of the people have done. I made up my own mind after I have heard both sides of the story. I have both sides of the story and they are both rather long.

You vote to suit yourself in the matter, but keep in mind your own conscience. I will not vote for a bill that will in any way become responsible for the passing of one of our citizens. Thank you for listening.

The SPEAKER. The Chair has seven requests from members who desire to be heard. As a neutral agent in this, the Chair might say that it is sometimes possible for members of the House to snatch defeat from the jaws of victory by talking their cause to death.

The Chair recognizes the gentleman from Bucks, Mr. Williams.

Mr. A. D. WILLIAMS, Jr. Mr. Speaker, your admonition is well taken.

This issue crosses party lines; it should be non-partisan. We have all heard the arguments for and against; we have heard them several times. I would like to respectfully request that those people who intend to vote for this measure refrain from speaking further on it. "When you have the vote, roll the bill" is an old adage, and I think we have the vote today.

I would like to yield, Mr. Speaker, to the gentleman from Fayette, Mr. Kornick.

The SPEAKER. Does the lady from Bucks, Mrs. Kooker, desire to be recognized?

Mrs. KOOKER. Mr. Speaker, I do not have much more to say about this bill than has already been said, but I simply want to emphasize that this 40-foot-trailer legislation is vital to Pennsylvania business and industry. The

fact is that Pennsylvania is the only State (West Virginia excepted) which limits trailers to 35 feet. Most manufacturers in this State desperately need this type of legislation to keep up with competition and to provide jobs for Pennsylvanians. All Pennsylvania motor carriers, large and small, are calling for the enactment of a 40-foot trailer law. Business and industry in this State will owe each legislator a debt of gratitude and support, and will look to our legislature with confidence that things are being done in the American way to help unemployment and industry.

I would therefore ask both sides of the House to carefully consider this legislation and give their support to this important measure.

The SPEAKER. Does the gentleman from Northumberland, Mr. O'Donnell, still desire to be recognized?

Mr. J. A. O'DONNELL. I do, Mr. Speaker. Last week I voted against this bill. I was amazed to go home and find out that the newspapers credited the defeat of this legislation to phantoms that roam the legislative halls here in Harrisburg. No one approached me about my vote; nobody asked me to vote for or against the bill. I voted the way I thought was right, but always mindful and ever grateful to the people back home. In these days of the new frontier when jobs are so necessary, I ask both sides of the aisle to vote for this bill.

The SPEAKER. The Chair recognizes the gentleman from Luzerne, Mr. Bachman.

Mr. BACHMAN. Mr. Speaker, I have been listening to this debate for the last few days. In regard to weight in the 1959 legislature a law was passed which governs trucks or vehicles in accordance with the weight. The Pennsylvania Industrial Development Authority saw fit to loan Highway Trailers in Hazleton \$340,000, and they saw fit to loan Fruehauf \$900,000 to build trailers. Our Governor of the Commonwealth, Governor Lawrence, saw fit two years ago to dedicate Highway Trailers of Hazleton.

Gentlemen, I do not want to prolong this debate, but I urge every member of this House to vote for this trailer bill. Thank you.

The SPEAKER. Does the gentleman from Mercer, Mr. Willard, desire to be recognized?

Mr. WILLARD. I do, Mr. Speaker. I am going to take the advice of the Speaker and merely ask that these letters and telegrams from industry and our Shenango Valley Chamber of Commerce be spread upon the record. Thank you.

The SPEAKER. They will be spread upon the record.

Mr. WILLARD submitted the following for the record:

WESTERN UNION
TELEGRAM

Sharon, Pa.

Honorable James Willard
House of Representatives
Harrisburg, Pa.

Again request your active support of 40 foot Trailers HB1046 which is of importance to my company the Shenango Valley and the State of Pennsylvania.

J. Patrick Munsch.

WESTERN UNION
TELEGRAM

Grove City, Pa.

James Willard
House of Representatives
Harrisburg, Pa.

Would sincerely solicit your support and approval for the Forty Foot Trailer Legislation. Thank you.

George P. Beech, George J. Howe Co.

WESTERN UNION
TELEGRAM

Pittsburgh, Pa.

Hon. James E. Willard
House of Representatives
Harrisburg, Pa.

Joint Council No. 40, International Brotherhood of Teamsters, representing 40,000 members in Western Pennsylvania is supporting (S. 104), known as the 40 Foot Truck bill. The Council feels this measure, if enacted, would go a long way toward establishing the Pennsylvania trucking industry on a fair level of competition with out-of-state motor transport firms. Anything you can do to bring about favorable consideration of this legislation, would be deeply appreciated by the Teamster movement in this area.

Daniel Degregory, Secretary
Treasurer, Joint Council of Teamsters
No. 40, 1205 Clark Bldg., Pittsburgh, 22, Pa.

SHENANGO VALLEY CHAMBER OF COMMERCE

40 Vine Avenue Sharon, Pennsylvania

April 13, 1961.

Representative James E. Willard
House Post Office
Harrisburg, Pa.

Dear Representative Willard:

Our State Affairs Committee advocates your support of bills which would permit longer semi-trailers without increasing the present overall 50 feet maximum for tractor-trailer rigs.

The bills (S-432, H-1046 and H-1095) would remove the 35 foot limitation on trailers but would not change weight limits or total length provisions.

With development of new tractors which have the cab over engine in less than 10 feet of space, we feel the law should be changed to conform with laws in other states which allow 40 feet trailers.

Your consideration of this measure is appreciated.

Sincerely,
(signed)

Roy F. Buchman, Jr. Chairman,
State Affairs Committee

R F B: a

1058 Highland Road
Sharon, Pennsylvania

Representative James E. Willard
House Post Office
Harrisburg, Pennsylvania

Dear Representative Willard:

House Bill HB-1046 is of particular interest to my company. We manufacture steel shipping containers which are light and take up lot of space. The use of 40 foot trailers would permit us to ship more containers per load and would enable us to be more competitive with manufacturers in other areas and, I hope, result in more business for the Shenango Valley. A full truckload of our 55 gallon drums will only weigh about 10,000 pounds.

Our community at the present time is trying to attract new industry. The ability to use 40-foot trailers may well influence some companies to locate in the Shenango Valley rather than across the border in Ohio, where 40-foot trailers are permissible.

I hope you will give this matter your careful attention and use your influence to see that this

bill is passed. I will appreciate your support of this matter.

Very truly yours,
(signed)
J. Patrick Munsch

J P M/eh

UNITED STATES STEEL PRODUCTS
DIVISION
United States Steel Corporation
Sharon, Pennsylvania

W. C. Campbell
Purchasing Agent
Traffic Supervisor

April 11, 1961

Dear Mr. Willard:

There is before the House, Bill No. HB-1046, permitting operation of 40 foot trailers in Pennsylvania. This particular bill has a provision that such trailers can be operated until June 1, 1966 by a tractor of any length licensed before June 1, 1961.

We are particularly interested in having this bill enacted due to the fact that we ship a light and bulky article—Steel Shipping Drums—on which the minimum weight on which we pay is 20,000 lbs. although our actual weight is between 9,000 lbs. and 10,000 lbs. It requires 40' trailers to enable us to haul this item in Pennsylvania and deliver to our customers at a price competitive with surrounding states.

Aside from these factors which apply to us, there is the fact that the present 35' limit places Pennsylvania manufacturers in a poor competitive position with those in surrounding states.

This situation could very well influence the decision of a manufacturer to locate in Ohio, for instance, rather than in this state with particular significance to the Shenango Valley where we are trying to attract new industry.

We hope you will give this matter your careful attention and that you will use your influence to see that this bill is passed.

Thank you for your attention and we hope for your support.

Very truly yours,
(signed)
W. C. Campbell

W C C: ad

510 Carley Aveue
Sharon, Pa.
April 14, 1961.

Mr. James E. Willard
House Post Office
Harrisburg, Pa.

Dear Mr. Willard:

This refers to legislation permitting use of 40 foot semi-trailers on state highways. Since this allowance does not alter weight limits, I would urge you to support such legislation.

Very truly yours,
(signed)
Gordon C. Hurlbert

The SPEAKER. Does the gentleman from Lawrence, Mr. Fox, still desire to be recognized?

Does the gentleman from Allegheny, Mr. Goldstein, still desire to be recognized?

Does the gentleman from Allegheny, Mr. Filo, still desire to be recognized? The Chair recognizes the gentleman.

Mr. FILO. Mr. Speaker, I do not care to speak about the bill at this time, but since Mr. Kornick is going to be the last speaker, I reserve the right to interrogate him.

The SPEAKER. Somebody must close the debate sometime.

Mr. FILO. I want to reserve that right, Mr. Speaker, and I will yield to the gentleman from Fayette, Mr. Kornick, right now.

The SPEAKER. The Chair will recognize the gentleman from Philadelphia, Mr. Eilberg.

Mr. EILBERG. Mr. Speaker, a while back, one of my colleagues on this side of the House made reference to the city of Philadelphia. I would remind the gentleman that Philadelphia has a population of some 2 million people, representing approximately 20 percent of the population of the State, a great metropolitan area bulging with traffic and commerce, and I would advise the gentleman that no one from Philadelphia, to my knowledge, has come here and has called to my attention, or our attention, any demand or any interest in favor of the bill. So, I think we are in a very good position to justify the lack of interest in favor of the bill as far as Philadelphia is concerned.

I would also say, Mr. Speaker, that the Representative from Bucks County, Mr. Williams, at the time of the last debate made quite a point of the lobbying activity that had taken place 24 hours prior to that debate. We might very well make the same statement at this time. In fact, all the members involved know the strong-arm tactics and methods that were used to arrive at today's decision. I am in no way conceding defeat at this point. The gentleman from Bucks evidently feels that he has won the issue and that the bill has become law.

Finally, Mr. Speaker, we have worked, both sides have worked, very hard on the issues involved here and I would like to make this comment: Committee members of the House have developed the habit or policy of vacillating from one side to the other and this has become typical with many other bills that this House has considered. I would ask all of the members of the House to once and for all make up their minds now, vote their decision, do not switch back and forth, and let us have a clear-cut decision on this bill in the House today.

The SPEAKER. For what purpose does the gentleman from Carbon, Mr. Bonner, rise?

Mr. BONNER. To answer the gentleman from Philadelphia.

The SPEAKER. I would not. I hope the gentleman will not.

Mr. BONNER. Mr. Speaker, I just want to ask the gentleman from Philadelphia to release his delegation and tell them to vote how they would like to vote.

The SPEAKER. Does any other member of the House desire to be recognized before the Chair recognizes the gentleman from Fayette, Mr. Kornick, for a privileged statement? The Chair hears none. The Chair recognizes the gentleman from Fayette, Mr. Kornick.

Mr. KORNICK. Mr. Speaker, I shall make the shortest speech of this House. I ask for a roll call immediately and I ask everybody on both sides to vote for the bill.

On the question recurring,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—131

Adams,	George,	Manbeck,	Shupnik,
Anderson, J. H.,	Gibb,	Markley,	Simmons,
Ashton,	Goldstein, J. H.,	Marsh,	Slack,
Auker,	Goldstein, M. H.,	Maxwell,	Snare,
Bachman,	Goodrich,	May,	Steckel,
Bachestoe,	Gramlich,	McDandless,	Stimmel,
Bonner,	Gross,	McDevitt,	Stiteler,

Breth,	Guesman,	McDonald,	Strausser,
Buchanan,	Guthrie,	McInroy,	Sullivan, T. F.,
Bush,	Haudenschild,	McLaughlin,	Thompson,
Capano,	Heffner,	McNally,	Tomasick,
Cioffi,	Helm,	Meholchick,	Tompkins,
Clarke,	Henzel,	Merry,	Trusio,
Cooley,	Hocker,	Mills,	Ujobai,
Crossin,	Holliday,	Murphy,	Varner,
Curwood,	Holman,	Murray,	Verona,
Davis,	Horst,	O'Dell,	Walsh,
Dennison,	Jenkins,	O'Donnell, J. A.,	Weidner,
Donaldson,	Johnson, A. W.,	Ogilvie,	Welsh,
Elvey,	Johnson, R. P.,	Piper,	Wescott,
Eshback,	Keiser,	Polen,	Whittaker,
Eshleman,	Kessler,	Prendergast,	Willard,
Esler,	King,	Price,	Willaredt,
Ewing,	Kistler,	Pursley,	Williams, A. D.,
Farabaugh,	Knecht,	Reibman,	Williams, E. S.,
Fetterolf,	Kooker,	Renwick,	Wilt,
Flynn,	Kornick,	Rovansek,	Wood,
Forester,	Korns,	Royer,	Wynd,
Foor,	Kramer,	Rudisill,	Yetter,
Fox,	Lamb,	Rutherford,	Zember,
Fulmer,	Lee, K. B.,	Sakulsky,	Zimmerman,
Galley,	Luty,	Schaaf,	Andrews,
Gallagher,	Magee,	Seltzer,	Speaker

NAYS—71

Anderson, S. A.,	Gelfand,	Lawson,	Pashley,
Arlene,	Gibbons,	Lee, A. M.,	Perry,
Blair,	Gray,	Leonard,	Petrosky,
Bossert,	Greenlee,	Limper,	Polaski,
Bower,	Gremminger,	Lippincott,	Reldenbach,
Bowman,	Hamilton,	McCann,	Riley,
Branca,	Hankins,	McCormack,	Rubin,
Capitolo,	Hartley,	McKeever,	Scarcelli,
Comer,	Heavey,	Miller,	Shelton,
Dengler,	Holl,	Monroe,	Sherman,
Dougherty,	Irvie,	Morley,	Stank,
Doughten,	Isaacs,	Mullen,	Stone,
Edwards,	Jim,	Munley,	Sullivan, J. A.,
Eilberg,	Jones,	Musto,	Taylor,
Filo,	Kamyk,	Needham,	Wall,
Fineman,	Kelly,	O'Donnell, J. P.,	Wargo,
Frascella,	Kernaghan,	Odorisio,	Worley,
Fry,	Klein,	Parlante,	

NOT VOTING—8

Boies,	Cianfrani,	Long, Wm. Jas.,	Mihm,
Cauley,	Down,	Long, Wm. Jos.,	Schuster,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

STATEMENT BY SPEAKER

The SPEAKER. The Chair desires to state that the decorum that has characterized this debate and the attitude of the members has followed real parliamentary traditions and really stamps this House as a great legislative body. I wish the people of all the States had been here to see how you do business.

The gentleman from Bucks, Mr. A. D. Williams, Jr., has requested recognition for a brief statement following the roll call.

Mr. A. D. WILLIAMS, Jr. Thank you, Mr. Speaker. First, I would like to thank the membership of the House who voted for this bill and, second, I would like to state for the record that those people who were in favor of this legislation cannot stop at this point. Procedurally this bill is a Senate bill and has passed the Senate. It has now been amended in the House and has passed in the House with amendments. It now goes to the Senate where they can

concur or nonconcur in the amendments. The opponents of this measure will attempt to get nonconcurrence in the amendments. This will force this bill into a conference committee where six people will decide the fate of this legislation. The fight is not over. We have won a battle but we still have a big fight ahead of us. I thank the House.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Tompkins for Mr. ODORISIO for the remainder of the day.

MR. HELM IN THE CHAIR

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 636, entitled:

An Act amending the act of April 27, 1927 (P. L. 465), entitled as amended "Fire Safety Building Regulation Law" requiring that the location of fire extinguishers which are obscured from view be marked.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—183

Adams,	Gallagher,	Lippincott,	Rutherford,
Anderson, S. A.,	Gelfand,	Luty,	Sakulsky,
Arlene,	Gibb,	Magee,	Scarcelli,
Auker,	Gibbons,	Marsh,	Schaaf,
Bachman,	Goldstein, J. H.,	Maxwell,	Schuster,
Backenstoe,	Goldstein, M. H.,	May,	Seltzer,
Blair,	Gramlich,	McCandless,	Shelton,
Bonner,	Gray,	McCann,	Sherman,
Bossert,	Greenlee,	McCormack,	Shupnik,
Bower,	Gremminger,	McDevitt,	Simmons,
Bowman,	Gross,	McDonald,	Slack,
Branca,	Guesman,	McInroy,	Snare,
Breth,	Guthrie,	McKeever,	Stank,
Buchanan,	Hamilton,	McLaughlin,	Steckel,
Bush,	Hankins,	McNally,	Stimmel,
Capano,	Hartley,	Meholchick,	Stone,
Capitolo,	Haudenschild,	Miller,	Strausser,
Cioffi,	Heavey,	Milla,	Sullivan, J. A.,
Clarke,	Heffner,	Monroe,	Sullivan, T. F.,
Comer,	Helm,	Morley,	Taylor,
Cooley,	Henzel,	Mullen,	Thompson,
Crossin,	Hocker,	Munley,	Tomasick,
Curwood,	Holl,	Murphy,	Tompkins,
Davis,	Irvie,	Musto,	Trusio,
Dengler,	Isaacs,	Needham,	Ujobai,
Dennison,	Jenkins,	O'Donnell, J. A.,	Varner,
Donaldson,	Jim,	O'Donnell, J. P.,	Verona,
Dougherty,	Johnson, A. W.,	Ogilvie,	Wall,
Doughten,	Johnson, R. P.,	Parlante,	Walsh,
Edwards,	Jones,	Pashley,	Wargo,
Eilberg,	Kamyk,	Perry,	Weidner,
Elvey,	Keiser,	Petrosky,	Welsh,
Eshback,	Kelly,	Piper,	Whittaker,
Eshleman,	Kernaghan,	Polaski,	Willard,
Esler,	Kessler,	Polen,	Willaredt,
Ewing,	King,	Prendergast,	Williams, A. D.,
Farabaugh,	Klein,	Price,	Williams, E. S.,
Fetterolf,	Knecht,	Pursley,	Wilt,
Filo,	Kooker,	Reibman,	Wood,
Fineman,	Kramer,	Reldenbach,	Worley,
Flynn,	Lamb,	Renwick,	Wynd,
Forester,	Lawson,	Riley,	Yetter,
Fox,	Lee, A. M.,	Rovansek,	Zember,
Frascella,	Lee, K. B.,	Royer,	Zimmerman,
Fry,	Leonard,	Rubin,	Andrews,
Fulmer,	Limper,	Rudisill,	Speaker

NAYS—14

Anderson, J. H., Ashton, Poor, Galley,	George, Goodrich, Holman, Horst,	Kistler, Korns, Manbeck,	O'Dell, Stitzler, Wescott,
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NOT VOTING—13

Boles, Cauley, Cianfrani, Down,	Holliday, Kornick, Long, Wm. Jas.,	Long, Wm. Jos., Markley, Merry,	Mihm, Murray, Odorisio,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

The **SPEAKER** pro tempore. The Chair recognizes the gentleman from Crawford, Mr. Merry.

Mr. MERRY. Mr. Speaker, I was called to the telephone but I would have voted "aye" on the last bill.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 631, entitled:

An Act amending the act of May 5, 1933 (P. L. 457), entitled "Building and Loan Code" authorizing the granting of mortgage loans to industrial development agencies and the acquisition of such loans and participations therein subject to limitations.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—129

Adams, Anderson, S. A., Arlene, Bachman, Bonner, Bossert, Bower, Bowman, Branca, Breth, Buchanan, Capano, Capitolo, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dennison, Dengler, Donaldson, Dougherty, Ellberg, Elvey, Farabaugh, Filo, Fineman, Flynn, Foerster, Frascella, Fry,	Galley, Gallagher, Gelfand, Gibb, Gibbons, Goldstein, J. H., Goldstein, M. H., Gray, Greenlee, Gremmlinger, Guesman, Guthrie, Hamilton, Hankins, Haudenshield, Heavey, Helm, Holl, Irvis, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Kamyk, Kelly, Kernaghan, Kistler, Klein, Kramer, Lamb, Lawson, Lee, A. M.,	Leonard, Limper, Lippincott, Lutty, Markley, Marsh, Maxwell, May, McCann, McCormack, McDevitt, McDonald, McKeever, McLaughlin, Meholchick, Merry, Mills, Monroe, Mullen, Murphy, Musto, Needham, O'Donnell, J. A., O'Donnell, J. P., Parlante, Pashley, Perry, Petrosky, Polen, Prendergast, Reibman, Reidenbach,	Riley, Rovanssek, Rubin, Rudisill, Sakulsky, Schuster, Shelton, Sherman, Shupnik, Simmons, Slack, Snare, Stank, Stone, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Trusio, Ujobai, Varner, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Williams, A. D., Williams, E. S., Wilt, Yetter, Andrews, Speaker
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NAYS—63

Anderson, J. H., Ashton, Auker, Backenstoe,	Goodrich, Gramlich, Gross, Hartley,	Lee, K. B., Magee, Manbeck, McCandless,	Rutherford, Schaaf, Seltzer, Steckel,
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Blair, Bush, Doughten, Edwards, Holman, Horst, Isaacs, Ewling, Fetterolf, Poor, Fox, Fulmer, George,	Heffner, Hocker, Holliday, Holman, Kessler, Kings, Knecht, Kooker, Korns,	McInroy, Miller, Morley, Munley, O'Dell, Ogilvie, Piper, Polaski, Price, Pursley, Renswick, Royer,
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Stitzler, Strausser, Tompkins, Wescott, Whittaker, Willard, Willaredt, Wood, Worley, Wynd, Zember,
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NOT VOTING—18

Boles, Cauley, Cianfrani, Down, Eshback,	Henzel, Jones, Kornick, Long, Wm. Jas., Long, Wm. Jos.,	McNally, Mihm, Murray, Odorisio,	Scarcelli, Stimmel, Tomascik, Zimmerman,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

REPORT FROM COMMITTEE

Mr. COMER from the Committee on Highways, reported as amended, House bill No. 1707, entitled:

An Act establishing and taking over as State highways certain county highways * * * tunnels, bridges, * * *, and certain streets and bridges in cities of the first class and in cities of the second class, * * *, and certain township roads and certain streets in boroughs and incorporated towns; * * * and deleting certain State highways.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 620, entitled:

An Act amending the act of March 30, 1937 (P. L. 115), entitled "The First Class City Permanent Registration Act" increasing compensation of the chairman and other members of the registration commission.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—171

Adams, Anderson, J. H., Anderson, S. A., Ashton, Bachman, Backenstoe, Blair, Bonner, Bossert, Bower, Bowman, Branca, Breth, Buchanan, Bush, Capano, Capitolo, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dengler,	Gallagher, Gelfand, George, Gibb, Gibbons, Goldstein, J. H., Goodrich, Gramlich, Gray, Greenlee, Gremmlinger, Guesman, Guthrie, Hamilton, Hankins, Hartley, Haudenshield, Heavey, Heffner, Holman, Irvis, Isaacs, Jenkins, Jim, Johnson, A. W.,	Lippincott, Long, Wm. Jos., Lutty, Manbeck, Markley, Marsh, Maxwell, May, McCann, McCormack, McDevitt, McInroy, McKeever, McLaughlin, Meholchick, Mills, Monroe, Morley, Mullen, Munley, Murphy, Musto, Needham, O'Dell, O'Donnell, J. A.,	Rutherford, Sakulsky, Scarcelli, Schaaf, Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Slack, Snare, Stank, Steckel, Stimmel, Stone, Strausser, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomascik, Tompkins, Trusio, Ujobai,
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Donaldson,	Jones,	O'Donnell, J. P.,	Varner,
Dougherty,	Kamyk,	Parlante,	Verona,
Doughten,	Kelly,	Pashley,	Wall,
Edwards,	Kernaghan,	Perry,	Walsh,
Eilberg,	Kessler,	Petrosky,	Wargo,
Elvey,	Kistler,	Piper,	Weidner,
Eshback,	Klein,	Polaski,	Weish,
Eshleman,	Knecht,	Polen,	Wescott,
Esler,	Kooker,	Prendergast,	Whittaker,
Ewing,	Kornick,	Price,	Willard,
Filo,	Korns,	Pursley,	Williams, E. S.,
Fineman,	Kramer,	Reibman,	Wilt,
Flynn,	Lamb,	Reidenbach,	Wynd,
Forester,	Lawson,	Renwick,	Yetter,
Fox,	Lee, A. M.,	Riley,	Zember,
Frascella,	Lee, K. B.,	Royer,	Zimmerman,
Fry,	Leonard,	Rubin,	Andrews,
Galley,	Limper,	Rudisill,	Speaker

NAYS—23

Auker,	Gross,	King,	Stiteler,
Farabaugh,	Helm,	Magee,	Willaredt,
Fetterolf,	Hocker,	McCandless,	Williams, A. D.,
Foor,	Holl,	Merry,	Wood,
Fulmer,	Johnson, R. P.,	Miller,	Worley,
Goldstein, M. H.,	Keiser,	Ogilvie,	

NOT VOTING—16

Ariene,	Dennison,	Horst,	Mihm,
Boies,	Down,	Long, Wm. Jas.,	Murray,
Caulley,	Henzel,	McDonald,	Odorisio,
Cianfrani,	Holliday,	McNally,	Rovansek,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 601, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" permitting motor vehicles owned and used by certain persons engaged in collecting news to be equipped with a warning light.

On the question,

Will the House agree to the bill on third reading?

MOTION TO RECOMMEND

Mr. McCORMACK. Mr. Speaker, I move that this bill be recommended to the Committee on Rules.

On the question,

Will the House agree to the motion?

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. McCANN. Mr. Speaker, I rise to oppose the motion and ask the membership to vote down the motion made by the gentleman from Philadelphia and vote on the bill.

On the question recurring,

Will the House agree to the motion?

It was not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—75

Anderson, J. H.,	Fulmer,	Lutty,	Renwick,
Anderson, S. A.,	Gray,	Manbeck,	Rovansek,
Arlene,	Greenlee,	Marsh,	Rubin,
Branca,	Gremminger,	Maxwell,	Rudisill,
Breth,	Hankins,	May,	Sakulsky,
Capano,	Hartley,	McLaughlin,	Scarcelli,
Capitolo,	Heavey,	Mills,	Schaaf,
Cloffi,	Holl,	Monroe,	Schuster,
Clarke,	Horst,	Morley,	Seltzer,
Comer,	Irviss,	Musto,	Shelton,
Dougherty,	Jim,	O'Dell,	Sherman,
Doughten,	Jones,	Parlante,	Stank,
Eilberg,	Kamyk,	Pashley,	Thompson,
Ewing,	Kelly,	Perry,	Tomascik,
Filo,	Klein,	Petrosky,	Trusio,
Flynn,	Kramer,	Polaski,	Welsh,
Foerster,	Lamb,	Polen,	Williams, A. D.,
Fox,	Leonard,	Reibman,	Yetter,
Fry,	Limper,	Reidenbach,	

NAYS—122

Adams,	Gibb,	Lippincott,	Slack,
Ashton,	Gibbons,	Long, Wm. Jos.,	Snare,
Auker,	Goldstein, J. H.,	Magee,	Steckel,
Bachman,	Goldstein, M. H.,	Markley,	Stimmel,
Backenstoe,	Goodrich,	McCandless,	Stiteler,
Blair,	Gramlich,	McCann,	Stone,
Bonner,	Gross,	McCormack,	Strausser,
Bossert,	Guesman,	McDevitt,	Sullivan, J. A.,
Bower,	Guthrie,	McDonald,	Sullivan, T. F.,
Bowman,	Hamilton,	McInroy,	Taylor,
Buchanan,	Haudenschild,	McKeever,	Tompkins,
Bush,	Heffner,	McNally,	Ujohal,
Cooley,	Helm,	Meholchick,	Varner,
Curwood,	Hocker,	Merry,	Verona,
Davis,	Holliday,	Miller,	Wall,
Dengler,	Holman,	Mullen,	Walsh,
Dennison,	Isaacs,	Munley,	Wargo,
Donaldson,	Jenkins,	Murphy,	Weidner,
Edwards,	Johnson, A. W.,	Needham,	Wescott,
Elvey,	Johnson, R. P.,	O'Donnell, J. A.,	Whittaker,
Eshback,	Keiser,	Ogilvie,	Willard,
Eshleman,	Kernaghan,	Piper,	Willaredt,
Esler,	Kessler,	Prendergast,	Williams, E. S.,
Farabaugh,	King,	Price,	Wilt,
Fetterolf,	Kistler,	Pursley,	Wood,
Fineman,	Knecht,	Riley,	Worley,
Foor,	Kooker,	Royer,	Wynd,
Frascella,	Kornick,	Rutherford,	Zember,
Galley,	Korns,	Shupnik,	Zimmerman,
Gallagher,	Lee, A. M.,	Simmons,	Andrews,
George,	Lee, K. B.,		Speaker

NOT VOTING—13

Boies,	Down,	Lawson,	Murray,
Caulley,	Gelfand,	Long, Wm. Jas.,	O'Donnell, J. P.,
Cianfrani,	Henzel,	Mihm,	Odorisio,
Crossin,			

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

PHILADELPHIA DELEGATION WELCOMED

The SPEAKER pro tempore. The Chair welcomes to the hall of the House a group of citizens from the 47th and 29th Wards of the city of Philadelphia, who are here today as the guests of the gentleman from Philadelphia, Mr. Arlene.

The Chair thanks the delegation and hopes that you enjoy your visit with us today.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 1294.

An Act amending the "Meat and Meat Food Products

Law" approved May 28, 1915 (P. L. 587), excepting from licensing requirements those persons dealing in or handling certain canned meat which does not require refrigeration.

SENATE BILL No. 100.

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" by making persons over sixteen years of age subject to certain penal provisions of the act.

SENATE BILL No. 180.

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code" authorizing occupation taxes to be abolished and per capita taxes to be levied and collected and limiting the levy and collection of certain taxes.

SENATE BILL No. 181.

An Act amending the act of June 24, 1937 (P. L. 2017), entitled "County Institution District Law" authorizing the assessment and collection of annual per capita taxes on individuals limiting the levy and collection of such taxes and taxes on trades occupations and professions and authorizing taxes on trades occupations and professions to be abolished.

SENATE BILL No. 197.

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing for special and summer classes for children of migrant laborers requiring the filing of certain reports and making an appropriation.

SENATE BILL No. 222.

An Act amending the act of April 24, 1947 (P. L. 100), entitled "Estates Act of 1947" defining conveyance.

SENATE BILL No. 295.

An Act fixing the fees of the prothonotaries in counties of the fourth, fifth, sixth, seventh and eighth class fixing the time when they are to be paid and the person liable for payment and imposing powers and duties on the prothonotaries their deputies and clerks.

SENATE BILL No. 380.

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code" providing that title to property by eminent domain may be vested in certain counties upon filing of a bond.

SENATE BILL No. 419.

An Act amending the act of May 17, 1921 (P. L. 789), entitled as amended "The Insurance Department Act of 1921" constituting insurance agents and brokers fiduciaries with respect to funds received as insurance agents or brokers and prescribing penalties for the violation thereof.

SENATE BILL No. 427.

An Act amending the act of May 17, 1921 (P. L. 682), entitled "The Insurance Company Law of 1921" authorizing purchase or investment of bonds notes and obligations issued assumed or guaranteed by the Inter-American Development Bank.

SENATE BILL No. 428.

An Act amending the act of May 15, 1933 (P. L. 624), entitled as amended "Banking Code" enlarging the powers of banks bank and trust companies and savings banks to deal in fractional interest of evidences of debt.

SENATE BILL No. 437.

An Act amending the act of March 10, 1949 (P. L. 30),

entitled "Public School Code of 1949" providing in certain cases for continuing operation of joint school systems which constitute approved administrative units.

SENATE BILL No. 446.

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code" bringing persons between eighteen and twenty-one years of age within the provisions of the act relating to corrupting the morals of children.

SENATE BILL No. 475.

An Act authorizing facsimile signatures and seals of certain public officials imposing duties upon the Secretary of the Commonwealth and providing penalties.

SENATE BILL No. 479.

An Act amending the act of June 25, 1941 (P. L. 159), entitled "Municipal Borrowing Law" regulating the payment sale price and interest of non-debt revenue bonds.

SENATE BILL No. 491.

An Act amending the act of June 25, 1941 (P. L. 159), entitled "Municipal Borrowing Law" changing the definition of assessed valuation.

SENATE BILL No. 497.

An Act amending the act of April 4, 1925 (P. L. 127), entitled "Adoption Law" further prescribing which persons must appear in court.

SENATE BILL No. 533.

An Act amending the act of July 15, 1957 (P. L. 901), entitled "Optional Third Class City Charter Law" further regulating the compensation of mayors councilmen controllers treasurers and department heads.

SENATE BILL No. 534.

An Act amending the act of July 15, 1957 (P. L. 901), entitled "Optional Third Class Charter Law" prohibiting departments from being headed by member of city council under mayor-council plan A.

SENATE BILL No. 535.

An Act to provide for the exchange of historical materials between historical societies as herein defined.

SENATE BILL No. 539.

An Act amending the act of December 20, 1933 (1933-34 P. L. 89), entitled "An Act appropriating the moneys in The State Stores Fund" providing for additional kinds of insurance.

SENATE BILL No. 540.

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929" providing for additional kinds of insurance.

SENATE BILL No. 541.

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" authorizing the Secretary of Highways to erect accurate mile courses and designations along State highways.

SENATE BILL No. 552.

An Act repealing section 58 of the act of April 28, 1899 (P. L. 133), entitled "An act to provide for the organization discipline and regulation of the National Guard of Pennsylvania."

SENATE BILL No. 555.

An Act amending the act of May 15, 1933 (P. L. 624),

entitled as amended "Banking Code" further providing for the participation of loans between banking companies.

SENATE BILL No. 691.

An Act amending the act of July 17, 1935 (P. L. 1092), entitled "Fraternal Benefit Societies Act" further extending the benefits that may be provided by a fraternal benefit society.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

SENATE BILL No. 503.

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929" authorizing the purchase and resale of books by the Historical and Museum Commission.

Referred to the Committee on State Government.

SENATE BILL No. 728.

An Act amending the act of July 7, 1947 (P. L. 1368), entitled "Real Estate Tax Sale Law" authorizing taxes to be collected by actions of assumpsit.

Referred to the Committee on Judiciary.

SENATE BILL No. 823.

An Act amending the act of June 15, 1961 (Act No. 207), entitled "Inheritance and Estate Tax Act of 1961" making a continuing appropriation for the payment of refunds of taxes to which the Commonwealth is not rightfully or equitably entitled.

Referred to the Committee on State Government.

SENATE BILL No. 842.

An Act amending the act of June 1, 1959 (P. L. 392), entitled "State Employees' Retirement Code of 1959" changing certain fiscal provisions to conform to the fiscal period and changing provisions providing for contributions and administrative expenses.

Referred to the Committee on State Government.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 445

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg,
July 18, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 445, printer's No. 484, entitled "An Act amending the act of June 4, 1943 (P. L. 883), entitled 'An act authorizing and directing the Department of Highways to erect and maintain as a post war construction project a toll bridge over the Allegheny River between a point in or near the Borough of Tarentum, Allegheny County and a point in Westmoreland County and to provide the necessary approaches and connections with State highways providing for the acceptance of Federal aid empowering counties to pay certain damages providing for the collection of tolls on such bridge and making

an appropriation' making the bridge a free bridge providing for the payment of certain obligations out of the Motor License Fund and making an appropriation therefor."

DAVID L. LAWRENCE.

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. McCANN. Mr. Speaker, when the machines are ready, I have secured permission to run one bill on page 18, bills on third reading, Senate bill 693, dealing with the appropriation for the capital punishment abolition committee that was active in this session. I would like to vote that bill next, if we may.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 693, entitled:

An Act making an appropriation to the committee appointed by the General Assembly to examine the issue of the abolition of capital punishment in Pennsylvania.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—153

Anderson, S. A.,	George,	Leonard,	Rubin,
Arlene,	Gibb,	Limper,	Rudisill,
Ashton,	Gibbons,	Lippincott,	Sakulsky,
Auker,	Goldstein, J. H.,	Long, Wm. Jos.,	Scarcelli,
Bachman	Goldstein, M. H.,	Lutty,	Schaaf,
Backenstoe,	Gramlich,	Markley,	Schuster,
Blair,	Gray,	Marsh,	Shelton,
Bonner,	Greenlee,	Maxwell,	Sherman,
Bower,	Gremminger,	May,	Shupnik,
Bowman,	Guesman,	McCann,	Simmmons,
Branca,	Guthrie,	McDevitt,	Slack,
Breth,	Hamilton,	McDonald	Snare,
Bush,	Hankins,	McInroy,	Stank,
Capano,	Hartley,	McKeever,	Stummel,
Capitolo,	Haudenshield,	McLaughlin,	Stone,
Cioffi,	Heavey,	McNally,	Strausser,
Clarke,	Heffner,	Meholchick,	Sullivan, J. A.,
Comer,	Helm,	Miller,	Sullivan, T. F.,
Cooley,	Holliday,	Mills,	Taylor,
Crossin,	Iris,	Monroe,	Thompson,
Curwood,	Isaacs,	Morley,	Tomascik,
Dengler,	Jlm,	Munley,	Tompkins,
Donaldson,	Johnson, A. W.,	Murray,	Trusio,
Dougherty,	Jones,	Musto,	Ujobal,
Doughten,	Kamyk,	Needham,	Verona,
Ellberg,	Kelly,	O'Donnell, J. A.,	Walsh,
Esler,	Kernaghan,	Parlante,	Wargo,
Ewing,	Kessler,	Pashley,	Welsh,
Fetterolf,	King,	Perry,	Willard,
Filo,	Klein,	Petrosky,	Williams, A. D.,
Fineman,	Knecht,	Polaski,	Williams, E. S.,
Flynn,	Kooker,	Polen,	Wilt,
Foerster,	Kornick,	Prendergast,	Wood,
Fox,	Kramer,	Reibman,	Worley,
Frascella,	Lamb,	Renwick,	Wynd,
Fry,	Lawson,	Riley,	Yetter,
Fulmer,	Lee, A. M.,	Rovanseck,	Zimmerman,
Galley,	Lee, K. B.,	Royer,	Andrews,
Gallagher,			Speaker

NAYS—39

Adams,	Goodrich,	McCandless,	Rutherford,
Anderson, J. H.	Hocker,	McCormack,	Seltzer,
Bossert,	Holl,	Merry,	Steckel,
Davis,	Horst,	Murphy,	Stiteler,
Edwards,	Jenkins,	O'Dell,	Wall,
Elvey,	Johnson, R. P.,	O'Donnell, J. P.,	Weidner,

Eshback, Eshleman, Farabaugh, Foor,	Kistler, Korns, Magee, Manbeck,	Ogilvie, Piper, Price, Pursley,	Wescott, Whittaker, Zember,
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NOT VOTING—18

Boles, Buchanan, Cauley, Cianfrani, Dennison,	Down, Gelfand, Gross, Henzel, Holman,	Kelsar, Long, Wm. Jas., Mihm, Mullen,	Odorisio, Reidenbach, Varner, Willaredt,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 592, entitled:

An Act amending the act of June 1, 1945 (P. L. 1242), entitled "State Highway Law" providing for payment by the Commonwealth of damages occasioned by a change of width lines or grades of streets designated as State highways in cities of the second class second class A and third class.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—187

Anderson, S. A., Arlene, Ashton, Auker, Backenstoe, Blair, Bonner, Bossert, Bower, Bowman, Branca, Breth, Buchanan, Bush, Capano, Capitolo, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dengler, Dennison, Donaldson, Dougherty, Doughten, Edwards, Eilberg, Elvey, Eshback, Eshleman, Esler, Ewing, Farabaugh, Fetterolf, Filo, Flynn, Foerster, Foor, Fox,	Gibb, Gibbons, Goldstein, J. H., Goldstein, M. H., Gramlich, Gray, Greenlee, Gremminger, Guesman, Guthrie, Hamilton, Hankins, Hartley, Heavey, Heffner, Helm, Henzel, Hocker, Holl, Holliday, Holman, Horst, Irvis, Isaacs, Jenkins, Jm, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kelser, Kelly, Kernaghan, Kessler, King, Kistler, Klein, Knecht, Kooker, Kornick, Kramer, Lamb,	Long, Wm. Jos., Lutty, Magee, Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McCormack, McDevitt, McDonald, McInroy, McKeever, McLaughlin, McNally, Meholchick, Merry, Miller, Mills, Monroe, Morley, Munley, Murphy, Murray, Musto, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Ogilvie, Parlante, Pashley, Perry, Petrosky, Piper, Polaski, Polen, Prendergast, Price, Pursley,	Rubin, Rudisill, Rutherford, Sakulsky, Scarcelll, Schaaf, Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Slack, Snare, Stank, Steckel, Stimmel, Stiteler, Stone, Strausser, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tompkins, Trusio, Ujobal, Verona, Wall, Walsh, Wargo, Weldner, Welsh, Wescott, Whittaker, Willard, Willaredt, Williams, A. D., Williams, E. S., Wilt, Wood, Wynd,
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Frascella, Fry, Gallagher, Gelfand, George,	Lawson, Lee, A. M., Leonard, Limper, Lippincott,	Reibman, Renwick, Riley, Rovanseck, Royer,	Yetter, Zember, Zimmerman, Andrews, Speaker
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NAYS—7

Adams, Anderson, J. H.,	Goodrich, Gross,	Korns, Lee, K. B.,	Worley,
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NOT VOTING—16

Bachman, Boles, Cauley, Cianfrani,	Down, Fineman, Fuimer, Galley,	Haudenshield, Long, Wm. Jas., Mihm, Mullen,	Odorisio, Reidenbach, Tomasick, Varner,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 590, entitled:

An Act amending the act of June 1, 1959 (P. L. 392), entitled "State Employees' Retirement Code of 1959" defining State employees to include certain civilian employees of the National Guard.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—195

Adams, Anderson, J. H., Anderson, S. A., Arlene, Ashton, Bachman, Backenstoe, Blair, Bonner, Bossert, Bower, Bowman, Branca, Breth, Buchanan, Bush, Capano, Capitolo, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dengler, Dennison, Donaldson, Dougherty, Doughten, Edwards, Eilberg, Elvey, Eshback, Eshleman, Esler, Ewing, Farabaugh, Fetterolf,	Gallagher, Gelfand, George, Gibb, Gibbons, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Gray, Greenlee, Gremminger, Gross, Guesman, Guthrie, Hamilton, Hankins, Hartley, Haudenshield, Heavey, Heffner, Helm, Henzel, Holl, Holliday, Holman, Horst, Irvis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kelser, Kelly, Kernaghan, Kessler,	Lee, A. M., Lee, K. B., Leonard, Limper, Lippincott, Long, Wm. Jos., Lutty, Magee, Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McCormack, McDevitt, McDonald, McInroy, McKeever, McLaughlin, McNally, Meholchick, Merry, Miller, Mills, Monroe, Morley, Munley, Murphy, Murray, Musto, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Ogilvie, Parlante, Pashley,	Renwick, Riley, Rovanseck, Royer, Rubin, Rudisill, Rutherford, Sakulsky, Scarcelll, Schaaf, Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Snare, Stank, Steckel, Stimmel, Stiteler, Stone, Strausser, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomasick, Tompkins, Trusio, Ujobal, Verona, Wall, Wargo, Weldner, Welsh, Whittaker, Willard, Willaredt,
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Filo, Fineman, Flynn, Foerster, Foor, Fox, Frascella, Fry, Fulmer, Galley,	King, Kistler, Klein, Knecht, Kooker, Kornick, Korns, Kramer, Lamb, Lawson,	Perry, Petrosky, Piper, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach,	Williams, A. D., Williams, E. S., Wilt, Worley, Wynd, Yetter, Zember, Zimmerman, Andrews, Speaker
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NAYS—5

Auker, Hocker,	Slack,	Walsh,	Wood,
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NOT VOTING—10

Boles, Cauley, Cianfrani,	Down, Long, Wm. Jas., Mihm,	Mullen, Odorisio,	Varner, Wescott,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 582, entitled:

An Act amending the act of November 21, 1959 (P. L. 1579), entitled "An act authorizing the Department of Property and Supplies with the approval of the Governor to acquire purchase or lease certain institutions for use by the Department of Public Welfare as youth development centers . . ." authorizing the acquisition of the Thorn Hill School at Warrendale, Allegheny County.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—189

Adams, Anderson, J. H., Anderson, S. A., Arlene, Ashton, Auker, Bachman, Backenstoe, Blair, Bonner, Bossert, Bowman, Branca, Breth, Buchanan, Capano, Capitolo, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dengler, Dennison, Donaldson, Dougherty, Edwards, Elberg, Elvey, Eshback, Eshleman,	Gelfand, Gibb, Gibbons, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Gray, Greenlee, Gremminger, Gross, Guesman, Guthrie, Hamilton, Hankins, Hartley, Haudenshield, Heavy, Hefner, Helm, Henzel, Hocker, Holl, Holliday, Holman, Horst, Irvis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones,	Lee, K. B., Leonard, Limper, Lippincott, Long, Wm. Jos., Lutty, Manbeck, Markley, Marsh, Maxwell, May, McCann, McCormack, McDevitt, McDonald, McInroy, McKeever, McLaughlin, McNally, Meholchick, Merry, Miller, Mills, Monroe, Morley, Munley, Murphy, Murray, Musto, Needham, O'Donnell, J. A., O'Donnell, J. P., Ogilvie,	Rovansek, Royer, Rubin, Rudisill, Rutherford, Sakulsky, Searcell, Schaaf, Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Slack, Snare, Stank, Steckel, Stimmel, Stone, Strausser, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomasick, Tompkins, Truslo, Ujohal, Varner, Verona, Wall, Wargo,
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Esler, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Flynn, Foerster, Foor, Fox, Frascella, Fry, Fulmer, Galley, Gallagher,	Kamyk, Kelser, Kelly, Kernaghan, Kessler, Kistler, Klein, Knecht, Kooker, Kornick, Kramer, Lamb, Lawson, Lee, A. M.,	Parlante, Pashley, Perry, Petrosky, Piper, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick, Riley,	Weidner, Welsh, Wescott, Willard, Willaredt, Williams, A. D., Williams, E. S., Wilt, Worley, Wynd, Yetter, Zember, Zimmerman, Andrews, Speaker
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NAYS—9

Bush, King, Korns,	Magee, McCandless,	Stiteler, Walsh,	Whittaker, Wood,
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NOT VOTING—12

Boles, Bower, Cauley,	Cianfrani, Doughten, Down,	George, Long, Wm. Jas., Mihm,	Mullen, O'Dell, Odorisio,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 576, entitled:

An Act fixing the salary of the register of wills of Philadelphia.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—152

Anderson, S. A., Arlene, Ashton, Bachman, Backenstoe, Bonner, Bower, Branca, Breth, Buchanan, Capano, Capitolo, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Dengler, Dennison, Donaldson, Dougherty, Edwards, Elberg, Elvey, Eshback, Eshleman, Esler, Filo, Fineman, Flynn,	Gelfand, Gibb, Gibbons, Goldstein, J. H., Goodrich, Gramlich, Gray, Greenlee, Gremminger, Guesman, Hamilton, Hankins, Hartley, Haudenshield, Heavy, Henzel, Holliday, Irvis, Isaacs, Jim, Johnson, A. W., Jones, Kamyk, Kelser, Kelly, Kernaghan, Kessler, Kistler, Klein, Knecht, Kooker, Kornick, Kramer,	Lippincott, Long, Wm. Jos., Lutty, Magee, Markley, Marsh, Maxwell, McCann, McCormack, McDevitt, McDonald, McInroy, McKeever, McLaughlin, McNally, Meholchick, Merry, Mills, Monroe, Morley, Mullen, Munley, Murphy, Murray, Musto, Needham, O'Donnell, J. A., O'Donnell, J. P., Parlante, Pashley, Perry, Petrosky, Piper,	Reibman, Reidenbach, Renwick, Riley, Rovansek, Rubin, Rudisill, Rutherford, Sakulsky, Searcell, Schaaf, Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Snare, Stank, Stimmel, Stone, Strausser, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomasick, Ujohal, Varner, Verona, Wall, Wargo, Welsh,
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Frascella, Fry, Fulmer, Galley, Gallagher,	Lamb, Lawson, Lee, A. M., Leonard, Limper,	Polaski, Polen, Prendergast, Price, Pursley,	Wescott, Willard, Yetter, Zimmerman, Andrews, Speaker
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NAYS—48

Adams, Anderson, J. H., Auker, Blair, Bossert, Bowman, Bush, Davis, Farabaugh, Fetterolf, Foor, Fox,	George, Goldstein, M. H., Gross, Guthrie, Heffner, Helm, Hocker, Holl, Holman, Horst, Jenkins, Johnson, R. P.,	King, Korns, Lee, K. B., Manbeck, May, McCandless, Miller, O'Dell, Ogilvie, Royer, Slack, Stiteler,	Tompkins, Walsh, Weidner, Whittaker, Willard, Williams, A. D., Williams, E. S., Wilt, Wood, Worley, Wynd, Zember,
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NOT VOTING—10

Boles, Cauley, Cianfrani,	Down, Foerster, Long, Wm. Jas.,	Mihm, Odorisio,	Steckel, Trusio,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 557, entitled:

An Act amending the act of May 5, 1933 (P. L. 457), entitled "Building and Loan Code" further regulating mortgage loans.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—188

Adams, Anderson, J. H., Anderson, S. A., Arlene, Ashton, Bachman, Backenstoe, Blair, Bonner, Bossert, Bower, Bowman, Branca, Buchanan, Bush, Capano, Capitolo, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dengler, Dennison, Donaldson, Doughten, Edwards, Elberg, Elvey, Eshback,	Gibb, Gibbons, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Gray, Greenlee, Gremminger, Gross, Guesman, Guthrie, Hamilton, Hankins, Hartley, Haudenshield, Heavey, Heffner, Helm, Henzel, Hocker, Holl, Holman, Horst, Irviss, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk,	Leonard, Lippincott, Long, Wm. Jos., Lutty, Magee, Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McCormack, McDevitt, McDonald, McInroy, McKeever, McLaughlin, McNally, Meholchick, Merry, Mills, Monroe, Morley, Mullen, Munley, Murphy, Murray, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P.,	Royer, Rubin, Rudisill, Rutherford, Sakulsky, Scarcelli, Schaaf, Schuster, Seltzer, Sherman, Shupnik, Simmons, Snare, Stank, Steckel, McInroy, Stimmel, Stiteler, Stone, Strausser, Sullivan, J. A., Taylor, Thompson, Tomascik, Tompkins, Ujobal, Varner, Verona, Wall, Walsh, Wargo, Weidner,
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Eshleman, Esler, Fetterolf, Fllo, Fineman, Flynn, Forester, Foor, Fox, Frascella, Fry, Fulmer, Galley, Gallagher, Gelfand,	Keiser, Kelly, Kernaghan, Kessler, Kistler, Klein, Knecht, Kooker, Kornick, Korns, Kramer, Lamb, Lawson, Lee, A. M., Lee, K. B.,	Ogilvie, Parlante, Pashley, Perry, Petrosky, Piper, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Renwick, Riley, Rovansek,	Welsh, Wescott, Whittaker, Willard, Willard, Williams, A. D., Williams, E. S., Wilt, Wood, Worley, Wynd, Yetter, Zember, Zimmerman, Andrews, Speaker
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NAYS—5

Auker, Ewing,	Farabaugh,	Holliday,	Miller,
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NOT VOTING—17

Boles, Breth, Cauley, Cianfrani, Dougherty,	Down, George, King, Limper,	Long, Wm. Jas., Mihm, Musto, Odorisio,	Reidenbach, Shelton, Sullivan, T. F., Trusio,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 556, entitled:

An Act amending the act of May 15, 1933 (P. L. 624), entitled as amended "Banking Code" further regulating certain loans secured by mortgages on deeds of trust on real property.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—195

Adams, Anderson, S. A., Anderson, J. H., Arlene, Ashton, Bachman, Backenstoe, Blair, Bonner, Bossert, Bowman, Branca, Breth, Buchanan, Bush, Capano, Capitolo, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dengler, Dennison, Donaldson, Dougherty,	Gelfand, George, Gibb, Gibbons, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Gray, Greenlee, Gremminger, Gross, Guesman, Guthrie, Hamilton, Hankins, Hartley, Haudenshield, Heavey, Heffner, Helm, Henzel, Hocker, Holl, Holliday, Holman, Horst, Irviss,	Leonard, Limper, Lippincott, Long, Wm. Jos., Lutty, Magee, Manbeck, Markley, Marsh, May, Maxwell, McCandless, McCann, McCormack, McDevitt, McDonald, McInroy, McKeever, McLaughlin, Meholchick, Merry, Miller, Mills, Monroe, Morley, Mullen, Munley, Murphy,	Rovansek, Royer, Rubin, Rudisill, Rutherford, Sakulsky, Scarcelli, Schaaf, Schuster, Seltzer, Shelton, Shupnik, Simmons, Slack, Snare, Stank, Steckel, Stimmel, Stiteler, Stone, Strausser, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomascik, Tompkins, Ujobal,
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Doughten,	Isaacs,	Murray,	Varner,
Edwards,	Jim,	Musto,	Verona,
Ellberg,	Johnson, A. W.,	Needham,	Wall,
Elvey,	Johnson, R. P.,	O'Dell,	Walsh,
Eshback,	Jones,	O'Donnell, J. A.,	Wargo,
Eshleman,	Kamyk,	O'Donnell, J. P.,	Weidner,
Esler,	Keiser,	Ogilvie,	Welsh,
Ewing,	Kelly,	Parlante,	Wescott,
Farabaugh,	Kernaghan,	Pashley,	Willard,
Fetterolf,	Kessler,	Perry,	Willaredt,
Filo,	King,	Petrosky,	Williams, A. D.,
Fineman,	Kistler,	Piper,	Williams, E. S.,
Flynn,	Klein,	Polaski,	Wilt,
Foerster,	Knecht,	Polen,	Wood,
Foor,	Kooker,	Prendergast,	Worley,
Fox,	Korns,	Price,	Zember,
Frascella,	Kramer,	Pursley,	Zimmerman,
Fry,	Lamb,	Reibman,	Wynd,
Fulmer,	Lawson,	Reidenbach,	Yetter,
Galley,	Lee, A. M.,	Renwick,	Andrews,
Gallagher,	Lee, K. B.,	Riley,	Speaker

NAYS—1

Auker,

NOT VOTING—14

Boies,	Down,	McNally,	Sherman,
Bower,	Jenkins,	Mihm,	Trusio,
Cauley,	Kornick,	Odorisio,	Whittaker,
Cianfrani,	Long, Wm. Jas.,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 486, entitled:

An Act amending the act of June 25, 1947 (P. L. 1145), entitled as amended "Local Tax Enabling Act" prescribing the effective date of taxes levied for the first time by any political subdivision limiting appeals by taxpayers to such first tax levies.

On the question,

Will the House agree to the bill on third reading?

Mr. ADAMS asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Title, page 2, sixth line of Title by inserting after "Court" where it appears the second time: placing a limitation on occupation privilege taxes levied by any political subdivision and

Amend Sec. 1, page 2, line 1 by striking out "Section 3" and inserting: Clause (a) of subsection E of section 1

Amend Sec. 1, page 3, line 4 by striking out "May 9 1949 (P. L. 898)," and inserting: October 14, 1959 (P. L. 1317)

Amend Bill, page 3, by inserting between lines 5 and 6: Section 1 * * *

E. Limitations on Rates of Specific Taxes.—No taxes levied under the provisions of this act shall be levied by any political subdivision on the following subjects exceeding the rates specified in this subsection:

(a) Per capita, poll or other similar head taxes, except occupation privilege taxes \$10. Occupation privilege taxes which are taxes levied on the privilege of engaging in occupations within the political subdivision not in excess of \$7.

* * *

Section 2. Section 3 of the act, amended May 9, 1949 (P. L. 898), is amended to read:

Amend Sec. 2, page 5, line 4 by striking out "2" and inserting: 3

Amend Sec. 2, page 5, line 4 by inserting after "immedi-

ately": but section 1 shall not apply to any political subdivision which has, prior to the effective date of this act, adopted an ordinance imposing an occupation privilege tax in excess of \$7 until the end of the fiscal year of the political subdivision current on the effective date of this act.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Berks, Mr. Adams.

Mr. ADAMS. Mr. Speaker, these amendments offered to Senate bill 486 are intended to place the ceiling upon the occupational privilege tax as levied under Act 481, known as the "tax anything act." It places a ceiling of \$7. It will not in any way affect occupation taxes which are levied on an assessment basis. There are only five municipalities within the Commonwealth that have or are using this tax. It is a flat-rate tax and it is placed not only upon individuals who live and work in a municipality, but also is taxing the people who live and reside outside of the taxing body and are taxed for the privilege of coming into the political subdivision in paying a tax for the privilege.

I ask all the members to vote "aye" in favor of these amendments.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Berks, Mr. McDevitt.

Mr. McDEVITT. Mr. Speaker, I rise to oppose the proposed amendments.

Mr. Speaker, these amendments limiting the occupational tax to \$7 does affect, I think, four or five communities who now collect a greater amount than the \$7. I wish to bring to the attention of the members of the House the hardship that these amendments, if adopted, would work on communities that have been expending monies that have been collected by the occupational tax.

And so, I would ask all the members of the House to vote down the amendments. Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Berks, Mr. Adams.

Mr. ADAMS. Mr. Speaker, I would like to explain that this should not and will not work a hardship upon the taxing body because it is set up to become only effective in the next fiscal year. It will not affect the current budget.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. ADAMS and ASHTON and were as follows:

YEAS—54

Adams,	Fox,	Holliday,	Renwick,
Ashton,	Fulmer,	Horst,	Rutherford,
Auker,	Gibb,	Isaacs,	Simmons,
Bower,	Gibbons,	Johnson, A. W.,	Steckel,
Buchanan,	Goldstein, J. H.,	Korns,	Tompkins,
Davis,	Goldstein, M. H.,	Lee, A. M.,	Weidner,
Dengler,	Goodrich,	Lee, K. B.,	Williams, A. D.,
Dennison,	Gramlich,	Markley,	Williams, E. S.,
Donaldson,	Gross,	Marsh,	Wilt,
Elvey,	Haudenshield,	McCandless,	Wood,
Esler,	Helm,	Miller,	Worley,
Farabaugh,	Henzel,	Ogilvie,	Wynd,
Fetterolf,	Hocker,	Price,	Zember,
Foor,	Holl,		

NAYS—142

Anderson, J. H.,	Greenlee,	McCann,	Royer,
Anderson, S. A.,	Gremminger,	McCormack,	Rubin,
Arlene,	Guesman,	McDevitt,	Rudisill,
Bachman,	Guthrie,	McDonald,	Sakulsky,
Backenstoe,	Hamilton,	McInroy,	Scarcelli,
Blair,	Hankins,	McKeever,	Schaaf,
Bonner,	Hartley,	McLaughlin,	Schuster,
Bossert,	Heavey,	McNally,	Shelton,
Bowman,	Heffner,	Meholchick,	Sherman,
Branca,	Holman,	Merry,	Shupnik,
Breth,	Irvs,	Mills,	Slack,
Bush,	Jenkins,	Monroe,	Snare,
Capano,	Jim,	Morley,	Stank,
Capitolo,	Johnson, R. P.,	Mullen,	Stimmel,
Cioffi,	Jones,	Munley,	Stiteler,
Clarke,	Kamyk,	Murphy,	Stone,
Comer,	Kelser,	Murray,	Strausser,
Cooley,	Kelly,	Musto,	Sullivan, J. A.,
Crossin,	Kernaghan,	Needham,	Sullivan, T. F.,
Curwood,	Kessler,	O'Dell,	Taylor,
Dougherty,	King,	O'Donnell, J. A.,	Thompson,
Doughten,	Kistler,	O'Donnell, J. P.,	Tomascik,
Ellberg,	Klein,	Parlante,	Ujobai,
Eshback,	Knecht,	Pashley,	Varner,
Eshleman,	Kooker,	Perry,	Verona,
Ewing,	Kramer,	Petrosky,	Wall,
Filo,	Lamb,	Piper,	Walsh,
Fineman,	Lawson,	Polaski,	Wargo,
Flynn,	Leonard,	Polen,	Welsh,
Foerster,	Limper,	Prendergast,	Wescott,
Frascella,	Lippincott,	Pursley,	Whittaker,
Fry,	Long, Wm. Jos.,	Reibman,	Willard,
Galley,	Lutty,	Reidenbach,	Willaredt,
Gallagher,	Magee,	Riley,	Yetter,
Gelfand,	Maxwell,	Rovansek,	Zimmerman,
Gray,	May,		

NOT VOTING—14

Boles,	Edwards,	Manbeck,	Seltzer,
Cauley,	George,	Mihm,	Trusio,
Cianfrani,	Kornick,	Odorisio,	Andrews,
Down,	Long, Wm. Jos.,		Speaker

So the question was determined in the negative, and the amendments were not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

BILL POSTPONED

Mr. ADAMS. Mr. Speaker, I move that this bill be placed on the third reading postponed calendar.

On the question,

Will the House agree to the motion?

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. McCANN. Mr. Speaker, may I interrogate the gentleman from Berks, Mr. Adams?

The SPEAKER pro tempore. Will the gentleman from Berks permit himself to be interrogated?

Mr. ADAMS. I shall, Mr. Speaker.

Mr. McCANN. Mr. Speaker, we generally do not oppose a motion when it has a specific reason. Would the gentleman care to tell the House the specific reason why he desires to have this bill placed on the postponed calendar, especially since it looks like it has about 150 votes for passage, or more?

Mr. ADAMS. Yes, I will, Mr. Speaker.

I would like to have time to prepare amendments to raise the ceiling from \$7 to \$10, which would overcome, or should overcome, the objections of the gentleman from Berks, Mr. McDevitt.

Mr. McCANN. If it is for the purpose of offering amendments, we have no objection.

Then you will be offering amendments to the bill?

Mr. ADAMS. As soon as I can have them prepared.

Mr. McCANN. Mr. Speaker, we agree unanimously to place the bill on the third reading postponed calendar.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 462, entitled:

An Act amending the act of September 8, 1959 (P. L. 846), entitled "An act providing for the destruction of certain records and papers upon petition in counties of the third and fourth classes" removing the requirement of reproduction in counties of the third class.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—191

Anderson, J. H.,	Gallagher,	Leonard,	Royer,
Anderson, S. A.,	Gelfand,	Limper,	Rubin,
Arlene,	George,	Lippincott,	Rudisill,
Ashton,	Gibb,	Long, Wm. Jos.,	Rutherford,
Auker,	Gibbons,	Lutty,	Sakulsky,
Bachman,	Goldstein, J. H.,	Magee,	Scarcelli,
Backenstoe,	Goldstein, M. H.,	Manbeck,	Schaaf,
Blair,	Goodrich,	Markley,	Schuster,
Bonner,	Gramlich,	Marsh,	Seltzer,
Bossert,	Gray,	Maxwell,	Shelton,
Bower,	Greenlee,	May,	Sherman,
Bowman,	Gremminger,	McCandless,	Shupnik,
Branca,	Gross,	McCann,	Simmons,
Breth,	Guthrie,	McCormack,	Slack,
Buchanan,	Guesman,	McDevitt,	Snare,
Bush,	Hamilton,	McDonald,	Stank,
Capano,	Hankins,	McInroy,	Steckel,
Capitolo,	Hartley,	McLaughlin,	Stimmel,
Cioffi,	Haudenshield,	McNally,	Stiteler,
Clarke,	Heavey,	Meholchick,	Stone,
Comer,	Heffner,	Merry,	Strausser,
Crossin,	Helm,	Miller,	Sullivan, J. A.,
Curwood,	Henzel,	Mills,	Sullivan, T. F.,
Davis,	Hocker,	Monroe,	Taylor,
Dengler,	Holl,	Morley,	Thompson,
Dennison,	Holliday,	Mullen,	Tomascik,
Donaldson,	Horst,	Munley,	Tompkins,
Dougherty,	Irvs,	Murphy,	Ujobai,
Doughten,	Isaacs,	Murray,	Varner,
Edwards,	Jim,	Musto,	Verona,
Ellberg,	Johnson, A. W.,	Needham,	Wall,
Elvey,	Johnson, R. P.,	O'Dell,	Walsh,
Eshback,	Jones,	O'Donnell, J. A.,	Wargo,
Eshleman,	Kamyk,	O'Donnell, J. P.,	Weidner,
Esler,	Kelser,	Ogilvie,	Welsh,
Ewing,	Kelly,	Parlante,	Wescott,
Farabaugh,	Kernaghan,	Pashley,	Whittaker,
Fetterolf,	Kessler,	Perry,	Willard,
Filo,	King,	Petrosky,	Willafedt,
Fineman,	Klein,	Piper,	Williams, A. D.,
Flynn,	Knecht,	Polaski,	Williams, E. S.,
Foerster,	Kornick,	Polen,	Wilt,
Foor,	Korns,	Prendergast,	Wood,
Fox,	Kramer,	Pursley,	Wynd,
Frascella,	Lamb,	Reidenbach,	Yetter,
Fry,	Lawson,	Renwick,	Zimmerman,
Fulmer,	Lee, A. M.,	Riley,	Andrews,
Galley,	Lee, K. B.,	Rovansek,	Speaker

NAYS—7

Holman,	Kistler,	Price,	Zember,
Jenkins,	Kooker,	Worley,	

NOT VOTING—12

Adams,	Cianfrani,	Long, Wm. Jas.,	Odorisio,
Boles,	Cooley,	McKeever,	Reibman,
Cauley,	Down,	Mihm,	Trusio,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILLS PASSED OVER

There being no objection,

Senate bill No. 456, printer's No. 1071, and

Senate bill No. 298, printer's No. 314,

were passed over at the request of Mr. McCANN.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 192, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" further providing for the placing of reflectors on vehicles and providing penalties.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Potter, Mr. Goodrich.

Mr. GOODRICH. Mr. Speaker, I would like to interrogate the majority leader.

The SPEAKER pro tempore. Will the majority leader permit himself to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

Mr. GOODRICH. Will the majority leader tell us how this changes the present law on reflectors?

The SPEAKER pro tempore. Will the gentleman yield for just a moment? For what purpose does the minority leader rise?

Mr. A. W. JOHNSON. I had a request to have this bill passed over for possible amendments from another source that I did not realize, Mr. McCann. So would you please pass this bill over at least temporarily until we can find out?

Mr. McCANN. We will be most pleased to, and will be most pleased also to answer the gentleman's question. Do I understand that Mr. Goodrich has no amendments?

Mr. GOODRICH. No, I never had them.

Mr. A. W. JOHNSON. No, Mr. Goodrich has not had the amendments.

The SPEAKER pro tempore. The Chair withdraws its decision as to the bill having been agreed to on third reading.

On the question recurring,

Will the House agree to the bill on third reading?

BILL PASSED OVER

There being no objection,

Senate bill No. 192, printer's No. 967,

was passed over at the request of Mr. A. W. JOHNSON.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 112, entitled:

An Act amending the act of May 2, 1945 (P. L. 382), entitled "Municipality Authorities Act of 1945" changing the rights powers and duties of Authorities heretofore or hereafter created.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—160

Anderson, S. A.,	Goldstein, M. H.,	Long, Wm. Jos.,	Rubin,
Arlene,	Goodrich,	Lutty,	Rudisill,
Blair,	Gray,	Manbeck,	Sakulsky,
Bachman	Greenlee,	Markley,	Scarcelli,
Backenstoe,	Gremminger,	Marsh,	Schaaf,
Bower,	Guesman,	Maxwell,	Schuster,
Branca,	Guthrie,	May,	Seltzer,
Breth,	Hamilton,	McCandless,	Shelton,
Buchanan,	Hankins,	McCann,	Sherman,
Bush,	Hartley,	McDevitt,	Shupnik,
Capano,	Haudenshield,	McDonald	Simmons,
Capitolo,	Heavey,	McInroy,	Slack,
Cioffi,	Heffner,	McKeever,	Snare,
Clarke,	Helm,	McLaughlin,	Stank,
Comer,	Henzel,	Meholchick,	Steckel,
Crossin,	Holl,	Mills,	Stimmel,
Curwood,	Holliday,	Monroe,	Stone,
Dengler,	Holman,	Morley,	Sullivan, J. A.,
Dennison,	Irviss,	Mullen,	Sullivan, T. F.,
Donaldson,	Isaacs,	Munley,	Taylor,
Dougherty,	Jenkins,	Murphy,	Thompson,
Doughten,	Jim,	Murray,	Tomascik,
Edwards,	Johnson, A. W.,	Musto,	Trusio,
Ellberg,	Johnson, R. P.,	Needham,	Ujobai,
Elvey,	Jones,	O'Dell,	Varnier,
Eshback,	Kamyk,	O'Donnell, J. A.,	Verona,
Esler,	Kelly,	O'Donnell, J. P.,	Wall,
Ewing,	Kessler,	Parlante,	Wargo,
Filo,	King,	Pashley,	Welsh,
Fineman,	Kistler,	Perry,	Wescott,
Flynn,	Klein,	Petrosky,	Whittaker,
Frascella,	Knecht,	Polaski,	Willard,
Fry,	Kornick,	Polen,	Willaredt,
Galley,	Kramer,	Prendergast,	Williams, A. D.,
Gallagher,	Lamb,	Price,	Williams, E. S.,
Gelfand,	Lawson,	Pursley,	Wilt,
George,	Lee, A. M.,	Reibman,	Worley,
Gibb,	Lee, K. B.,	Reidenbach,	Wynd,
Gibbons,	Leonard,	Riley,	Yetter,
Goldstein, J. H.,	Limper,	Rovansek,	Andrews,

Speaker

NAYS—41

Adams,	Foor,	Korns,	Royer,
Anderson, J. H.	Fox,	Lippincott,	Rutherford,
Ashton,	Fulmer,	Magee,	Stiteler,
Auker,	Gramlich,	McCormack,	Strausser,
Bossert,	Gross,	McNally,	Tompkins,
Bowman,	Hocker,	Merry,	Walsh,
Davis,	Horst,	Miller,	Weidner,
Eshleman,	Kelser,	Ogilvie,	Wood,
Farabaugh,	Kernaghan,	Piper,	Zember,
Fetterolf,	Kooker,	Renwick,	Zimmerman,
Foerster,			

NOT VOTING—9

Boles,	Cianfrani,	Down,	Mihm,
Bonner,	Cooley,	Long, Wm. Jas.,	Odorisio,
Cauley,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 627, entitled:

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90), permitting courts to grant club licenses to desirable applicants despite the limitations of the quota provisions of the law.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER pro tempore. The Chair recognizes the gentleman from York, Mr. Gailey.

Mr. GAILEY. Mr. Speaker, this House has considered a good bit of legislation this session concerning our liquor laws. Some of the legislation has been good; some of it has been bad. This particular bill, in my opinion, represents just about the worst bill we have had this session.

It has put our common pleas courts in the business of licensing, of issuing liquor licenses. I think this is something that past legislatures, in their wisdom, have determined is not something that will be in the interest of the people of his Commonwealth, and I would ask members on both sides of the House to vote against this bill.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Tioga, Mr. McInroy.

Mr. McINROY. Mr. Speaker, I would like to interrogate someone on this bill.

The SPEAKER pro tempore. Whom does the gentleman desire to interrogate? The gentleman from Westmoreland, Mr. Petrosky? The gentleman will proceed.

Mr. McINROY. Mr. Speaker, I would like to ask if this is the bill that does away with the quota on clubs?

Mr. PETROSKY. Yes, this bill would place the giving of a license to a desirable applicant in the court of common pleas in the several counties throughout the Commonwealth.

Mr. McINROY. Mr. Speaker, I would like to say that I heartily agree with Mr. Gailey, that this is one of the worst bills that has been presented in the Assembly this session. It is not very often that I agree with a tavern group, but I think after anyone has gone to considerable expense and provided a good place like some of these taverns undoubtedly are, and then a law like this is passed permitting any number of clubs in a community, I think there is no doubt about it, it is a bad law.

Experience has shown that the present quota method is the best way of controlling the granting of licenses and I do not believe that there is any doubt that there will be considerably more bootlegging than there is now if they do not limit the club licenses granted in this State because of the fact there would be so much competition that some would almost be forced either into bootlegging or bankruptcy. I certainly think it would corrupt the morals of this State to ever do away with the quota that we have on licenses at the present time.

I ask everyone to vote this bill down.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—10

Blair,
Dougherty,
Murray,

O'Dell,
O'Donnell, J. A.,
Petrosky,

Prendergast,
Shelton,

Slack,
Stank,

NAYS—188

Adams,
Anderson, J. H.
Anderson, S. A.,
Arlene,
Ashton,
Auker,
Bachman
Backenstoe,
Bonner,
Bossert,
Bower,
Bowman,
Branca,
Breth,
Buchanan,
Bush,
Capano,
Cioffi,
Clarke,
Comer,
Crossin,
Curwood,
Davis,
Dengler,
Dennison,
Donaldson,
Doughten,
Edwards,
Ellberg,
Elvey,
Eshback,
Eshleman,
Esler,
Ewing,
Farabaugh,
Fetterolf,
Filo,
Fineman,
Flynn,
Foerster,
Foor,
Fox,
Fracella,
Fry,
Fulmer,
Gailey,
Gallagher,

Gelfand,
George,
Gibb,
Gibbons,
Goldstein, J. H.,
Goldstein, M. H.,
Goodrich,
Gramlich,
Gray,
Greenlee,
Gremminger,
Gross,
Guesman,
Guthrie,
Hamilton,
Hankins,
Hartley,
Haudenschild,
Heavey,
Heffner,
Helm,
Henzel,
Hocker,
Holl,
Holliday,
Holman,
Horst,
Irviss,
Isaacs,
Jenkins,
Jim,
Johnson, A. W.,
Johnson, R. P.,
Jones,
Kamyk,
Kelser,
Kelly,
Kernaghan,
Kessler,
King,
Kistler,
Klein,
Knecht,
Kooker,
Kornick,
Korns,
Kramer,

Lamb,
Lawson,
Lee, A. M.,
Lee, K. B.,
Leonard,
Limper,
Lippincott,
Long, Wm. Jos.,
Lutty,
Magee,
Manbeck,
Markley,
Marsh,
Maxwell,
May,
McCandless,
McCann,
McCormack,
McDevitt,
McDonald,
McInroy,
McKeever,
McLaughlin,
McNally,
Meholchick,
Merry,
Miller,
Mills,
Monroe,
Morley,
Mullen,
Munley,
Murphy,
Needham,
O'Donnell, J. P.,
Ogilvie,
Parlante,
Pashley,
Perry,
Piper,
Polaski,
Polen,
Price,
Pursley,
Reibman,
Reidenbach,
Renwick,

Riley,
Rovansek,
Royer,
Rubin,
Rudisill,
Rutherford,
Sakulsky,
Scarcelli,
Schaaf,
Schuster,
Seltzer,
Sherman,
Shupnik,
Simmons,
Snare,
Steckel,
Stimmel,
Stiteler,
Stone,
Strausser,
Sullivan, J. A.,
Sullivan, T. F.,
Taylor,
Thompson,
Tomascik,
Ujobal,
Varner,
Verona,
Wall,
Walsh,
Wargo,
Weidner,
Welsh,
Wescott,
Whittaker,
Willard,
Willaredt,
Williams, A. D.,
Williams, E. S.,
Wilt,
Wood,
Worley,
Wynd,
Yetter,
Zemmer,
Zimmerman,
Andrews,
Speaker

NOT VOTING—12

Boies,
Capitolo,
Cauley,

Cianfrani,
Cooley,
Down,

Long, Wm. Jas.,
Mihm,
Musto,

Odoristo,
Tompkins,
Trusio,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of Senate bill No. 509, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code" prohibiting the use of railroad railway elevated roadway for purchase of firearms and subway passenger station facilities by loiterers.

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. IRVIS. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. IRVIS asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Sec. 1 (Sec. 699.14), page 2, line 6, by striking out "purpose" and inserting: purposes or services

Amend Sec. 1 (Sec. 699.14), page 2, line 6, by inserting after "exists": and which it offers

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1541, entitled:

An Act relating to the manufacture sale and possession of drugs devices and cosmetics conferring powers on the courts and the Secretary and Department of Health providing penalties and for the revocation or suspension of certain licenses making an appropriation to the Department of Health and repealing certain acts.

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. MAXWELL. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. MAXWELL asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend title, page 1, line 3, by inserting after "penalties": requiring registration of persons engaged in the drug trade

Amend title, page 1, line 4, by inserting after "licenses": and registrations

Amend title, page 1, lines 4 and 5, by striking out "making an appropriation to the Department of Health"

Amend Section 2, page 2, line 7, by inserting after "of": The

Amend Section 2, page 3, line 19, by striking out "licensee" and inserting: registrant

Amend Section 2, page 3, line 19, by striking out "licensed by" and inserting: registered under

Amend Section 2, page 4, lines 1 to 19, and page 5, lines 1 to 11, by striking out all of said lines and inserting:

(g) The term "narcotic drug" means (1) opium (2) cocoa leaves (except decocainized cocoa leaves or extracts of cocoa leaves which extracts do not contain cocaine or ecgonine) (3) marihuana (4) isonipecaine (any substance identified chemically as 1-methyl-4-phenyl-piperidine-4-carboxylic acid ethyl ester or any salt thereof by whatever

trade name designated) (5) any drug or other substance found by the United States Secretary of the Treasury or his delegate and proclaimed by him or his delegate after due notice and opportunity for public hearing to have an addiction-forming or addiction-sustaining liability similar to morphine or cocaine (6) any compound manufacture salt derivative or preparation of the substance referred to in clauses (1) through (5) (7) any substance (and any compound manufacture salt derivative or preparation thereof) which is chemically identical with any substance referred to in clauses (1) through (5)

For purposes of this definition the term "manufacture" means the production of a narcotic drug, either directly or indirectly by extraction from substances of vegetable origin or independently by means of chemical synthesis or by a combination of extraction and chemical synthesis.

(h) The term "dangerous drug" means a drug other than a narcotic drug as defined in paragraph (g) of this section which: (1) contains any quantity of barbituric acid promal carbromal chloral alpha-eucaine beta-eucaine paraldehyde peyote sulfonmethane or any chemical derivative thereof which derivative has been by the Secretary after investigation and after consultation with and on the recommendation of the Drug Advisory Board found to be habit-forming and by regulations designated as a dangerous drug or (2) contains any quantity of amphetamine or any isomer thereof which has a stimulating effect on the central nervous system or (3) because of its toxicity or other potentiality for harmful effect or the method of its use or the collateral measures necessary to its use has been found by the Secretary after investigation and after consultation with and on the recommendation of the Drug Advisory Board not safe for use except under the supervision of a practitioner licensed by law to administer such drug and has by regulation been designated a dangerous drug or (4) is limited under the Federal Act to use under the professional supervision of a practitioner licensed by law to administer such drug

Amend Section 2, page 6, line 19, by inserting at the end of said line In the event a determination has been made that a drug is or is not a "new drug" for purposes of the Federal Act such determination shall be accepted as conclusive by the Secretary

Amend Section 2, page 7, line 8, by inserting after "Title" 21

Amend the bill, page 8, by inserting between lines 8 and 9

Section 3 Exempt Narcotics—(a) The Secretary may by regulation exempt from the provisions of this act relating to narcotic drugs to such extent as he determines to be consistent with the public welfare pharmaceutical preparations found by the Secretary

(1) Either to possess no addiction-forming or addiction-sustaining liability or not to possess an addiction-forming or addiction-sustaining liability sufficient to warrant imposition of all of the requirements of this act, and

(2) Does not permit recovery of a narcotic drug having such an addiction-forming or addiction-sustaining liability with such relative technical simplicity and degree of yield as to create a risk of improper use.

(b) In exercising the authority granted in paragraph (a) the Secretary by regulations and without special findings shall unless cogent reasons require otherwise in the interest of public health grant exempt status to such pharmaceutical preparations as are determined to be exempt under the Federal narcotic law and regulations.

(c) If the Secretary shall subsequently determine that any exempt pharmaceutical preparation does possess a degree of addiction liability that results in abusive use he shall by regulation remove such pharmaceutical preparation from exempt status effective on a date fixed by the regulation.

Amend Section 3, page 8, line 9, by striking out "3" and inserting 4

Amend Section 3, page 9, line 3, by inserting after the second "or" knowingly

Amend Section 3, page 9, lines 6 to 8, by striking out "or to make available records regarding manufacture and/or" in line 6, and all of lines 7 and 8, and inserting as provided in Section 17, or to make available such

records pertaining to the shipping, receiving and dispensing of drugs as are required by this act to be maintained and available for inspection.

Amend Section 3, page 9, by inserting after line 20

(j) Placing or causing to be placed upon any drug or pharmaceutical preparation or upon the container of any drug or pharmaceutical preparation with intent to defraud the trademark trade name or other identifying mark imprint or device of another or any likeness of any of the foregoing

(k) Selling dispensing disposing of or causing to be sold dispensed or disposed of or keeping in possession control or custody or concealing any drug or pharmaceutical preparation or any container of any drug or pharmaceutical preparation with knowledge that the trademark trade name or other identifying mark imprint or device of another or any likeness of any of the foregoing has been placed thereon in a manner prohibited by subsection (j) hereof

(l) Making selling disposing of or causing to be made sold or disposed of or keeping in possession control or custody or concealing with intent to defraud any punch die plate stone or other thing designed to print imprint or reproduce the trademark trade name or other identifying mark imprint or device of another or any likeness of any of the foregoing upon any drug pharmaceutical preparation or container thereof.

Amend Section 3, page 10, line 1, by striking out "(j)" and inserting (m)

Amend Section 3, page 10, line 5, by striking out "(k)" and inserting (n)

Amend Section 3, page 10, line 7, by striking out "licensed" and inserting registered

Amend Section 3, page 10, line 8, by striking out "l" and inserting (o)

Amend Section 3, page 10, line 10, by striking out "been licensed so to do by the Commonwealth" and inserting registered as a manufacturer wholesaler or retailer if required by this act

Amend Section 3, page 10, line 11, by inserting at the beginning of said line (p)

Amend Section 3, page 10, line 15, by striking out "(n)" and inserting (q)

Amend Section 3, page 10, line 18, by striking out "licensed"

Amend Section 3, page 10, line 19, by striking out "licensed to engage" and inserting engaged

Amend Section 3, page 11, lines 7 and 8, by striking out "pre-" in line 7, and "scribe" in line 8, and inserting promulgate

Amend Section 3, page 12, line 7, by striking out "(o)" and inserting (r)

Amend Section 3, page 12, lines 9 and 10 by striking out "drugs except" in line 9 and "as" in line 10 and inserting drug other than those

Amend Section 3, page 12, line 10, by striking out "promulgated pursuant to Section 4 of this act"

Amend Section 3, page 12, line 12, by inserting after "prescribe" or administer

Amend Section 3, page 12, line 13, by striking out "(p)" and inserting (s)

Amend Section 3, page 12, line 15, by striking out "or dangerous drugs" and inserting: drugs other than those exempted by regulation

Amend Section 3, page 13, lines 1, 2 and 3 by striking out "Such order shall be preserved" in line 1 and all of lines 2 and 3.

Amend Section 3, page 13, line 4, by striking out "(q)" and inserting (t)

Amend Section 3, page 13, line 5, by inserting after "drugs": other than those exempted by regulation

Amend Section 3, page 14, line 1, by striking out "(r)" and inserting: (u)

Amend Section 3, page 14, line 2, by inserting after "drugs": other than those exempted by regulation

Amend Section 3, page 14, line 6, by striking out "(s)" and inserting (v)

Amend Section 3, page 14, line 11, by striking out "promulgated by the Secretary"

Amend Section 3, page 14, line 13, by striking out "t" and inserting: (w)

Amend Section 3, page 14, line 15, by inserting after "drugs": other than those exempted by regulation

Amend Section 3, page 15, line 1, by striking out "(u)" and inserting: (x)

Amend Section 3, page 15, line 3, by inserting after "the": written or oral

Amend Section 3, page 15, line 4, by inserting after "drug": and unless

Amend Section 3, page 15, lines 6 to 15, by striking out "Nor shall any such dangerous drug be refilled on such" in line 6, all of lines 7 to 14, "name of the practitioner prescribing it" in line 15, and inserting: or the refilling of a written or oral prescription for a dangerous drug unless such refilling is authorized by the prescriber either in the original written prescription or by written confirmation of the original oral prescription

Amend Section 3, pages 15 and 16, lines 19 and 20, on page 15 lines 1 to 18, page 16 by striking out "No" in line 19 and all of line 20, page 15, all of lines 1 to 17 and "(w)" line 18, page 16 and inserting:

(y) The dispensing of any dangerous drug by a pharmacist without affixing to the container in which the drug is sold or dispensed a label bearing the name and address of such pharmacist the name and address of the patient the date compounded and the consecutive number of the prescription under which it is recorded in his prescription files together with the name of the practitioner prescribing it.

(z) The dispensing of a dangerous drug by a practitioner otherwise authorized by law so to do without affixing to the container in which the drug is sold or dispensed a label bearing the name and address of the practitioner the date dispensed the name and address of the patient and the directions for the use of the drug by the patient.

(aa) The selling or possession by a pharmacy or wholesaler of any dangerous or narcotic drug defined herein unless the container bears a label securely attached thereto stating conspicuously the specific name of the drug and the proportion or amount thereof Such label shall not be necessary when the drug is dispensed by a pharmacist upon a prescription or dispensed by a practitioner licensed by law to dispense such drugs and the container is labeled in the manner prescribed in this act.

(bb) The operation of a drug manufacturing wholesaling or retailing establishment except by registered pharmacists in a licensed pharmacy without conforming with such standards respecting sanitation materials equipment and supplies as the Secretary may establish by regulation for the protection of the public health and safety

Amend Section 3, page 17, line 5, by striking out "except in proceedings under this act"

Amend Section 3, page 17, line 6, by inserting after "Commonwealth": except in proceedings under this act

Amend Section 4, page 17, lines 7 to 18 by striking out all of said lines

Amend Section 4, page 18, lines 1 to 12, by striking out all of said lines.

Amend Section 5, pages 18, 19 and 20, lines 13 to 20 page 18, lines 1 to 20 page 19, lines 1 to 3 page 20, by striking out all of said lines.

Amend Section 6, page 20, lines 4 to 20, by striking out all of said lines.

Amend Section 6, page 21, lines 1 to 13, by striking out all of said lines.

Amend Section 7, page 21, lines 14 to 20, by striking out all of said lines.

Amend Section 7, page 22, lines 1 to 3, by striking out all of said lines and inserting:

Section 5. Oral Prescriptions for Dangerous Drugs.—Any dangerous drug may be sold or dispensed by a registered pharmacist upon oral prescription of a practitioner authorized by law to prescribe such drugs provided, however, said oral prescription together with the date of its communication, the name and address of the prescriber and such other information as may be required by law or regulation in the case of written prescriptions, shall be reduced promptly to writing by the registered pharmacist and the writing filed and preserved by the licensed pharmacy for a period of two years in such a way that it will

be readily accessible for inspection by the proper authorities.

Section 6. Oral Prescriptions for Narcotics.—

(a) Any narcotic drug required to be dispensed on prescription which the Secretary, after considering any views expressed by the Drug Advisory Board and the respective secretaries of State associations representing (1) physicians, (2) pharmacists, (3) dentists, and (4) veterinarians, shall, in his discretion, find and, by regulation, designate to possess relatively little or no addiction liability may be sold, dispensed, distributed, or given away, by a registered pharmacist operating a licensed pharmacy subject to the jurisdiction of the State Board of Pharmacy upon oral prescription of a practitioner authorized by law to prescribe such drugs, which oral prescription, together with the date of its communication, the name and address of the prescriber and such other information as may be required by law or regulation in the case of written prescriptions, shall be reduced promptly to writing by the registered pharmacist and the writing filed and preserved by the licensed pharmacy for a period of two years in such a way that it will be readily accessible for inspection by the proper authorities.

In issuing an oral prescription the prescriber shall furnish the pharmacist with the same information as is required by law or regulation in case of a written prescription for drugs, except for the written signature of the prescriber and the registered pharmacist who fills such prescription shall be required to inscribe such information on the written record of the prescription made, filed and preserved by him and shall inscribe on the label of the container of the drug the same information as is required in filling a written prescription. No such oral prescription shall be refilled.

(b) If the Secretary shall subsequently determine that a drug to which the oral prescription procedure set forth in the preceding paragraphs has been made applicable possesses a degree of drug addiction liability that, in his opinion, has resulted or may result in abusive use of such procedure, he shall by regulation revoke such prior regulation.

Section 7. Prescriptions for Narcotics—Any prescription for narcotic drugs shall be preserved for a period of two years in such a way that it will be readily accessible to inspection by the proper authorities. When such drugs are sold dispensed distributed or given to an individual in pursuance of a prescription either written or oral as provided for in this act such written prescription or in the case of an oral prescription the written record thereof made by the pharmacist shall be regarded as the written order herein required and no further written order shall be necessary.

Whenever a pharmacist sells or dispenses any narcotic drug on a prescription written or oral he shall affix to the container in which such drug is sold or dispensed a label showing the date, his own name, address and registry number or the name address and registry number of the pharmacist for whom he is lawfully acting the name and address of the patient or if the patient is an animal the name and address of the owner of the animal and the species of the animal the name address and registry number of the practitioner by whom the prescription was written or orally given and such directions as may be stated on the prescription. Whenever a practitioner licensed by law so to do dispenses any narcotic drug to a patient there must be affixed to the container in which said drug is dispensed a label showing the date his own name address and registry number the name and address of the patient or if the patient is an animal the name and address of the owner of the animal and the species of the animal. No person shall alter deface or remove any label so affixed.

A person to whom or for whose use any narcotic drug has been prescribed sold dispensed and the owner of any animal for which any such drug has been prescribed sold or dispensed may lawfully possess such drug only in the container in which it was delivered to him by the person selling or dispensing the same.

Amend Section 8, page 22, line 4, by inserting after "provisions": of this

Amend Section 9, page 22, lines 13 to 20, by striking out all of said lines and inserting:

Section 9. Records of Distribution of Dangerous and Narcotic Drugs—

(a) Every person who sells distributes administers dispenses or prescribes dangerous drugs or narcotic drugs other than those exempt by regulation shall keep records of all purchases and sales of such drugs for two years from the date of purchase or sale. Such records shall include the name and address of the person from whom purchased or to whom sold the date of purchase or sale and the quantity purchased or sold.

(b) Every practitioner licensed by law to administer dispense or distribute narcotic drugs shall keep a record of all such narcotic drugs other than those exempt by regulation administered dispensed or distributed by him showing the amount administered dispensed or distributed the date the name and address of the patient and in the case of a veterinarian the name and address of the owners of the animal to whom such drugs are dispensed or distributed. Such record shall be kept for two years from the date of administering dispensing or distributing such drug and shall be open for inspection by the proper authorities. No record need be kept of any such drug administered in an emergency case.

Section 10 Removal of Drugs from Dangerous Drug Classification—Whenever the Secretary either on his own initiative or on petition of an interested party finds that the classification of a drug as a dangerous drug is no longer necessary for the protection of the public health and safety he shall remove such drug from such classification by regulation.

Amend Section 11, pages 24, 25 and 26, lines 4 to 20, page 24, lines 1 to 19, page 25, and lines 1 to 10, page 26, by striking out all of said lines and inserting:

Section 11 Registration—(a) No person shall operate within this Commonwealth as a manufacturer wholesaler or retailer of drugs or devices nor sell offer for sale nor solicit the purchase of drugs or devices nor hold drugs or devices for sale or resale until such person has registered under this act.

Any manufacturer or wholesaler not operating an establishment within this Commonwealth but employing sales representatives or detailmen within this Commonwealth shall either register as a manufacturer or wholesaler, as the case may be, or file in lieu of registration with the Secretary the names and addresses of such representatives and detailmen and shall promptly inform the Secretary of any changes in said list.

Separate registration shall be required for each place at which such person carries on activities as a manufacturer wholesaler or retailer within this Commonwealth. The certificate evidencing such registration shall be conspicuously displayed and shall not be transferable.

Certificates of registration issued by the State Board of Pharmacy to manufacturers shall continue to be valid for the period issued and upon expiration shall be renewed in the manner provided for renewal of certificates of registration issued pursuant to this section. Nothing contained herein shall be construed to require the registration hereunder of pharmacists registered by the Board of Pharmacy nor pharmacies licensed by said Board nor to require the separate registration of agents or employees of persons registered pursuant to the provisions of this section or of sales representatives or detailmen of manufacturers or wholesalers not operating an establishment within this Commonwealth whose names and addresses are on file with the Secretary. Provided however that all persons registered pursuant to this section whether located within this Commonwealth or not shall be deemed to have accepted and shall be subject to all provisions of this act.

(b) No person shall operate as a manufacturer of drugs or devices unless such drugs or devices are manufactured under the supervision of a registered pharmacist chemist or other person possessing at least five years' experience in the manufacture of drugs or devices or such other person approved by the Secretary as qualified by scientific or technical training or experience to perform such duties of supervision as may be necessary to protect the public health and safety.

(c) Each application for registration as a manufacturer including repackagers shall be accompanied by a fee of one hundred dollars (\$100.00) Each application for registration as a wholesaler shall be accompanied by a fee of twenty-five dollars (\$25.00) Each application for registration as a retailer shall be accompanied by a fee of two dollars (\$2.00) Applications shall be on forms prescribed by the Secretary Registration certificates shall be renewed annually and applications therefor shall be accompanied by the same fee as for initial applications

(d) Registration of any person not registered by the Board of Pharmacy on the effective date of this act shall become effective at noon of the sixtieth day after application therefor is filed Provided however That the Secretary shall have authority to issue a registration certificate or to issue an order denying such registration pursuant to subsection (e) and (f) hereof at any time prior to the expiration of such sixty-day period. Renewal of registration shall be effective upon application

(e) The Secretary may refuse the initial registration of any person who has made false representation in the application for registration or of any person or agent or employee of any person who manufactures drugs or devices other than under the supervision of a registered pharmacist chemist or other person possessing at least five years' experience in the manufacture of said drugs or devices or such person approved by the Secretary as provided herein or who fails to comply with the standards of sanitation equipment materials or supplies promulgated pursuant to Section 4 (bb) until such person has filed a proper application and is in compliance with this section and with said standards of sanitation equipment materials and supplies Any action by the Secretary denying any registration shall be deemed an adjudication to which the provisions of the Administrative Agency Law as amended shall be applicable.

(f) Any person who has been convicted of a violation of any law of this Commonwealth or of the United States relating to the sale use or possession of narcotic drugs may be refused registration as a manufacturer or wholesaler and any manufacturer's or wholesaler's certificate of registration held by any person may upon such conviction be revoked if such refusal or revocation shall be necessary for the protection of the public health and safety. Nor shall any person registered under this act knowingly employ in any capacity connected with the preparation handling or sale of narcotic drugs any person convicted of a violation of the laws of this Commonwealth or of the United States relating to the sale use or possession of narcotics unless prior consent shall have been obtained from the Secretary

(g) The provisions of this section, shall not be effective until April 30, 1962

Amend Section 12, page 26, line 18 by inserting after "permission": so

Amend Section 13, page 29, lines 13 to 20, by striking out "except that whenever tests or methods of assay have not" in line 13 and all of lines 14 to 20

Amend Section 13, page 30, lines 1 to 3, by striking out all of lines 1 and 2 and "strength quality or purity shall be made" in line 3 and inserting: or in the absence of or inadequacy of such tests or methods of assay those prescribed under the authority of the Federal act

Amend Section 14, page 31, lines 19 and 20 by striking out "prescribed" in line 19 and all of line 20.

Amend Section 14, page 32, lines 10 to 17, by striking out "the" in line 10 and all of lines 11 to 17 and inserting: any chemical derivative of such substances which derivative has been by the Secretary after investigation found to be and by regulations designated as habit-forming unless its label bears the name and quantity of proportion of such substance or derivative and in juxtaposition therewith the statement "Warning—may be habit-forming"

Amend Section 14, page 33, line 3, by striking out "if it is a drug or cosmetic"

Amend Section 14, page 33, line 4, by striking out "antibiotic"

Amend Section 14, page 33, lines 6 and 7, by striking out "natural or synthetic hormone" in line 6 and "or hormonal substances lead" in line 7

Amend Section 14, page 33, line 11 by striking out "promulgated by the Secretary"

Amend Section 14, page 34, line 1 by striking out "the Secretary shall promulgate" and by inserting after "regulations": shall be promulgated

Amend Section 14, page 34, line 14, by inserting after (h): If

Amend Section 14, page 34, line 16 by striking out "the Secretary"

Amend Section 14, page 34, line 17 by striking out "require" and inserting: be required

Amend Section 14, pages 34 and 35, lines 19 and 20, page 34 and lines 1 and 2, page 35, by striking out "until the Secretary shall have informed the appropriate" in line 19 and all of line 20 page 34 and all of lines 1 and 2 page 35, and inserting: or for any drug for which regulations have been promulgated by the Secretary of Health, Education and Welfare under the Federal act

Amend Section 15, page 36, line 7, by striking out "listing such additive for" and inserting: permitting

Amend Section 16, page 37, lines 17 to 19, by striking out "and provided such investigation has" in line 17, all of lines 18 and 19, and inserting: or with words of similar import; and provided the person who introduced such drug or delivered such drug for introduction into commerce has previously obtained a statement signed by such expert showing that he has adequate facilities for the investigations to be conducted by him

Amend Section 16, page 38, lines 4 and 5, by striking out "virus serum and toxin" in line 4 and all of line 5 and inserting: animal virus serum and toxin law of March 4, 1913 (21 U.S.C. 151 et seq.) or under the Public Health Service Act of July 1, 1944 (42 U.S.C. 201 et seq.)

Amend Section 17, page 39, line 6, by inserting after "such": shipping and receiving

Amend Section 17, page 39, lines 6 and 7, by striking out "manufacture of dis-" in line 6 and "tribution" in line 7 and inserting: purchase and sale

Amend Section 18, page 41, line 4, by inserting after "1388)": The Administrative Agency Law

Amend Section 18, page 41, line 5, by inserting after "provide": and any person aggrieved by any action of the Hearing Examiner may appeal in accordance with the provisions of the Administrative Agency Law as amended

Amend Section 19, page 41, line 14, by striking out "licensed" and inserting: registered

Amend Section 20, page 42, lines 14 and 15, by striking out "ten thousand" in line 14 and "dollars (\$10,000.00)" in line 15 and inserting: five thousand dollars (\$5,000.00)

Amend Section 20, page 42, line 18, by striking out "five" and inserting: three

Amend Section 20, page 42, lines 18 and 19, by striking out "fifty thousand" on line 18 and "dollars (\$50,000.00)" in line 19 and inserting: twenty-five thousand dollars (\$25,000.00)

Amend Section 20, pages 45 and 46, lines 19 and 20, page 45, and lines 1 and 2, page 46, by striking out "The court shall not have power to suspend the imposition or" in line 19 and all of line 20, page 45, and all of lines 1 and 2, page 46, and inserting: In the case of a conviction for a violation of the provisions of this act relating to possession or sale of narcotics the court shall have power to suspend the imposition or execution of sentence and grant probation or parole only if the violation was a first offense

Amend Section 20, page 46, line 6, by inserting after "with": prior

Amend Section 24, page 48, lines 8, 9 and 10, by striking out "is not considered adulterated or" in line 8, all of line 9 and "thereto unless the Secretary shall have previously promulgated" on line 10 and inserting: complies with the Federal act and/or regulations and interpretations issued pursuant thereto unless the Secretary after consultation with and upon the recommendation of the Drug Advisory Board shall have previously promulgated

Amend Section 24, page 48, line 11, by inserting after "the": applicable provision of the

Amend Section 25, page 48, lines 15 to 19 by striking out "and the Secretary of Health is hereby authorized to"

in line 15, all of lines 16, 17 and 18 and "to be dangerous or deleterious or habit-forming" in line 19

Amend Section 25, page 49, line 5 by inserting after "compensation": subject to the Administrative Code of 1929, as amended, act of April 9, 1929, P. L. 177.

Amend Section 25, page 49, line 9 by striking out "3(n)" and inserting: 4(q)

Amend Section 26, page 49, lines 11, 12, 13 and 14 by striking out in line 11 the words "in addition to the regu-," all of lines 12 and 13, and "have the authority to issue such other regulations" in line 14 and inserting: the Secretary shall have the authority to promulgate in accordance with the provisions of this section, any regulations hereinbefore referred to in this act and such other regulations upon the advice of the Drug Advisory Board

Amend Section 26, page 49, line 17 by striking out the word "issuance" and inserting: promulgation

Amend Section 26, page 49, line 18, by inserting after "give": at least thirty (30) days

Amend Section 26, page 50, line 4, by striking out "issue" and inserting: promulgate

Amend Section 26, page 50, lines 5 to 17, by striking out "adversely affected to a material degree by the is-" in line 5, all of lines 6 to 17, and inserting: aggrieved by the promulgation amendment or repeal of a regulation or by the refusal to promulgate amend or repeal a regulation may file objections with the Secretary specifying with particularity the reason why such action is deemed objectionable and the grounds for such objection As soon as possible after the filing of objections the Secretary shall hold a public hearing for the purpose of receiving evidence relevant to such objections As soon as practicable after completion of hearings the Secretary shall issue an appropriate order either confirming/or withdrawing the regulation in question modifying

Amend Section 26, page 50, line 20, page 51, lines 1 to 4, by striking out "to the Court of Common Pleas of Dauphin County All find-" in line 20, page 50, and all of lines 1 to 4, page 51, and inserting: in accordance with the provisions of the Administrative Agency Law as amended and such order shall be deemed an "adjudication" as that term as defined and used in the Administrative Agency Law, as amended

Section 27 Administrative Procedure—The Administrative Agency Law as amended shall be applicable in its entirety to the Department of Health in the administration of this act

Amend Section 27 page 51 line 5 by striking out "27" and inserting: 28

Amend Section 28, page 51, line 10, by striking out "28" and inserting: 29

Amend Section 29, page 51, line 17, by striking out "29" and inserting: 30

Amend Section 30, page 52, line 14, by striking out "30" and inserting: 31

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

Mrs. HENZEL. Mr. Speaker, I would like to make a few remarks on these amendments.

There has been considerable controversy and apprehension over this recodification of the Food, Drug and Cosmetic Act. It is not an amendment to something; it is a complete recodification of an act. I think the amendments which are being introduced at the present time are much to its benefit and I think that the House should look them over carefully after they are in print. I think after that is done they will feel that this is a tremendous improvement over the bill we have had presented and would hope that favorable consideration will be given to it at that time.

Mr. MAXWELL. Mr. Speaker, just to supplement what

the lady has said as to these amendments, after a five-hour meeting yesterday of everyone in opposition to this bill, they all came to an agreement and these are the amendments. Now, according to the latest word I have, everyone is in agreement and everyone is supposed to be for these bills. Thank you.

On the question recurring,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1343, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), further regulating the imposition of penalties for operation of vehicles upon highways with tires which do not conform with requirements of the act.

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. FINEMAN. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. FINEMAN asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Sec. 1 (Sec. 841), page 2, line 15, by inserting after "who": knowingly

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILL INTRODUCED AND REFERRED

By Messrs. A. D. WILLIAMS, Jr., GALLAGHER

and Mrs. KOOKER.

HOUSE BILL No. 1838.

An Act amending "The General County Assessment Law," approved May 22, 1933 (P. L. 853), providing that reproduction costs shall be considered in arriving at value and providing that factors taken into consideration in arriving at the value of real property and valuations so determined by certain counties under a permanent system of records may continue to be a valid basis for assessments.

Referred to the Committee on Counties.

RESOLUTION INTRODUCED AND REFERRED

By Messrs. BRETH, JIM, CURWOOD,
and WILLARD. RESOLUTION No. 93.

In the House of Representatives, July 18, 1961.

Whereas, Spring Creek in Centre County is internationally famous for its trout fishing and as the site of the renowned "Fisherman's Paradise" and also, the location of the State of Pennsylvania's largest and most picturesque fish hatchery; and

Whereas, This grand stream is apparently threatened by a continuing wave of pollution, which threatens to destroy its fish life and its ability to attract visitors, sight-seers and fishermen; and

Whereas, This condition has drawn the concern and ire of numerous citizens and civic organizations; and

Whereas, If this condition continues to encroach upon the waters of this fair stream, the "Fisherman's Paradise" and fish hatchery will be abandoned with the resultant economic loss of several million dollars in plant ponds and fishery investments; and

Whereas, This loss will also mean a further economic loss of hundreds of thousands of dollars in revenue from tourists and sight-seers in Centre County; and

Whereas, In realization of this serious situation, the House of Representatives, by 1960 House Resolution No. 9, Serial No. 11, empowered the Committee on Fisheries to make a survey and study of conditions causing the pollution of Spring Creek, which study was held and the results thereof reported to the House of Representatives; and

Whereas, In spite of said study and report, it has become apparent that the same conditions still exist; and

Whereas, This continuing condition is of great concern not only to citizens of Centre County but to Pennsylvania fishermen everywhere; therefore be it

Resolved, That the Committee on Fisheries is hereby empowered to reopen and continue its survey and study of conditions causing the pollution of Spring Creek and all matters incidental and related thereto; and be it further

Resolved, That the committee may meet, hold hearings, take testimony and make its investigations whether the General Assembly is in session or in adjournment. It may issue subpoenas under the hand and seal of its chairman commanding any person to appear before it and to answer questions touching matters properly being inquired into by the committee and to produce such books, papers, records and documents as the committee deems necessary. Any person who wilfully neglects or refuses to testify before this committee or to produce any books, papers, records, or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases. Each member of the committee shall have power to administer oaths and affirmations to witnesses appearing before the committee; and be it further

Resolved, That the committee make a report of its findings, together with its recommendations, as soon as possible.

Referred to the Committee on Rules.

Mr. McCANN. Mr. Speaker, I am trying to clear something up with regard to House bill 1541. The amendments which were sent over are about three times as long as the original bill.

It has been suggested that somehow the bill come back over to be proofread before it is printed in final form, since I understand the amendments are twice as long as the bill.

The SPEAKER pro tempore. That can be done with the cooperation of the chief clerk, and I am sure the chief clerk will cooperate.

Mr. McCANN. I will ask the chairman of the Committee on Public Health and Sanitation to check the amendments.

The SPEAKER pro tempore. For what purpose does the gentleman from Westmoreland, Mr. Maxwell, rise?

Mr. MAXWELL. Mr. Speaker, I will consent to what the floor leader said, although I have already developed a serious case of ulcers over this bill. I do not know how much more he wants me to bleed for it, but I will be glad to do what he wants me to.

The SPEAKER pro tempore. I will be glad to give the gentleman a cure.

Mr. A. W. JOHNSON. Mr. Speaker, if the gentleman has ulcers, he had better go to the drug manufacturers and get some relief.

ANNOUNCEMENTS

Mr. McCANN. Mr. Speaker, we are at this point where the balance of our bills will have to be checked in caucus one way or another and it is almost 5:30, so we are going to ask for committee announcements and clear the desk. When we convene tomorrow, immediately off the floor we will go to a caucus which will be early in the morning. There will be no more roll calls today.

The SPEAKER pro tempore. For what purpose does the minority leader rise?

Mr. A. W. JOHNSON. Mr. Speaker, I would like the privilege of interrogating the majority leader, please.

The SPEAKER pro tempore. Will the majority leader permit himself to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

Mr. A. W. JOHNSON. Mr. Speaker, many members, of course, are vitally interested in where we go from here. I realize that we are going to be in session tomorrow and we are going to come in at 10 o'clock, is that correct?

Mr. McCANN. Ten o'clock, daylight saving time, that is correct.

Mr. A. W. JOHNSON. What are the plans from here on out? Are we going to be here next week, the week following, the week following, or what are the plans of the majority party?

Mr. McCANN. Mr. Speaker, it is intended that this House will be in session next week.

Mr. A. W. JOHNSON. May I further interrogate the gentleman? What do you intend to do next week? Will we, for instance, have a reapportionment bill ready?

Mr. McCANN. A congressional reapportionment bill, right.

Mr. A. W. JOHNSON. You expect to have a reapportionment bill before us for a vote next week?

Mr. McCANN. I assume introduction and the proper committee will handle it.

Mr. A. W. JOHNSON. Is there a bill prepared by you folks ready to be put in so that the committee can consider it?

Mr. McCANN. Mr. Speaker, there are probably half a dozen congressional reapportionment bills ready for introduction.

Mr. A. W. JOHNSON. May I further interrogate the gentleman? When are you going to introduce them so we can get a look at them?

Mr. McCANN. Without a doubt the bills will be introduced by next week.

Mr. A. W. JOHNSON. By next week?

Mr. McCANN. There is a very important meeting taking

place on Thursday with the Speaker of the House, Sam Rayburn, and the answer will either be a definite yes or no without any equivocations about the congressional seats.

Mr. A. W. JOHNSON. Does the gentleman mean, Mr. Speaker, that the Congress in Washington will be the final, final, final answer on whether we lose three Congressmen or two in Pennsylvania? Is that right?

Mr. McCANN. The final answer, I assume, will be in that category, whether we lose three or two.

Mr. A. W. JOHNSON. Then next week there is real justification for our being here and we will no doubt have a reapportionment plan before us so that we can bring about an orderly end to this session and adjourn soon sine die? Is that the plan?

Mr. McCANN. That, in addition to one other major item on which I hope that the Select Committee on Education will give us the answer by tonight in their meeting, dealing with the tax measures for the interim subsidy program, the reorganization plan which has been introduced which can be reported on this floor so it may be voted on by this House.

Mr. A. W. JOHNSON. Mr. Speaker, how many days does the gentleman plan to be here next week? How many days will this House be in session?

Mr. McCANN. I do not have that specific answer, but I assure the gentleman I hope to have the answer and announce it on the floor before the members depart for their homes tomorrow, so that they may plan properly for the following week.

Mr. A. W. JOHNSON. I thank the gentleman.

STATEMENT BY MINORITY LEADER

Mr. A. W. JOHNSON. Mr. Speaker, I would just like to make a brief statement.

The SPEAKER pro tempore. The gentleman is in order. Without objection, the gentleman will proceed.

Mr. A. W. JOHNSON. Mr. Speaker, we were planning on making quite a statement with respect to the reapportionment. We feel that it has been swept under the rug, you might say, for a too long period of time. I am sure we are all pleased to hear what the majority leader has said, that maybe next week we can get down to the all-important business of this session, that of reapportioning our congressional districts. That is good news to everybody on this side of the House. We are hoping fervently that when we come in here next Monday that there will be something we can put our teeth into and really get down to work so we can plan our future here. Many members would like to plan their vacations, no matter how short they may be, but we hate to go ahead without something being done on the all-important question of reapportionment. So if the gentleman will really get down to brass tacks, get the leaders together and agree on something so we can end this session, I am sure everybody will be eternally grateful.

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. McCANN. Mr. Speaker, I just want to say one thing about the reapportionment problem. It is my understanding that at the present time, from the newspaper stories that I have read, I believe the State of Minnesota only lost one seat and could not agree, and at the present time, all

Congressmen in Minnesota, unless they do something about it, will run at-large. The State of Illinois, I am not sure of the number of congressional seats they lost, but the newspapermen were kind enough to show me, I think it was called The Chicago Daily News they had here, and they had it covered in such a manner that you could not tell the paper and it looked just like the Pennsylvania problem. "Assembly in the Windup—Reapportionment and Education." That State has not been able to resolve its problem at this time. We certainly are working and have been working to face this problem and face it here in this session of the General Assembly. I hope to have that legislation so that the members of this House may have an opportunity to see the printed bill in form, which is what the minority leader has been asking about for the last two or three weeks.

Mr. A. W. JOHNSON. Mr. Speaker, one more question. Could the gentleman tomorrow fix a time this week when the leaders on both sides of the House and Senate and the statewide leaders could sit down and discuss the problem of reapportionment and maybe arrive at some kind of a solution or find out whether we are in a hopeless deadlock?

Mr. McCANN. I cannot at this point, Mr. Speaker, give the gentleman a definite time and date, but it certainly is the intention to have a top-level discussion both of the Republican State Chairman of this State, the Democratic State Chairman and other parties involved in that very item.

Mr. A. W. JOHNSON. I take it from that that the answer is, you will do your best.

Mr. McCANN. All I can do is ask them.

REQUEST FOR COMMITTEE MEETING

Mr. McCANN. Mr. Speaker, when we convene tomorrow, I would ask permission to have an Appropriations Committee meeting to be held off the floor. That was to be done today and I forgot about it until the members were gone. I will ask tomorrow when we convene that it be done.

COMMITTEE MEETINGS

CITIES-COUNTIES FIRST CLASS, Mr. Dougherty, chairman, Room 521, Wednesday, July 19, at 9:45 a. m.

COUNTIES, Mr. Cioffi, chairman, Room 131-C, Wednesday, July 19, at 9:45 a. m.

STATE GOVERNMENT, Mr. Fineman, chairman, Room 522, Wednesday, July 19, at 9:30 a. m.

ALL TIMES ARE DAYLIGHT SAVING TIME

RECONSIDERATION OF VOTE ON

HOUSE BILL NO. 1448

Mr. FOX. Mr. Speaker, I move that the vote by which House bill No. 1448, printer's No. 1756, entitled:

"An act amending the act of April 28, 1937 (P. L. 417), entitled 'An act relating to milk and the products thereof; creating a Milk Control Commission; establishing its jurisdiction, powers and duties; regulating the production, transportation, manufacturing, processing, storage, distribution, delivery and sale of milk and certain products thereof; providing for the licensing of milk dealers and the payment of fees therefor; requiring milk dealers to file bonds to secure payments for milk to producers and certain milk dealers; authorizing the holding of hearings

and the issuance of subpoenas by the commission, conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules, regulations and orders of the commission; authorizing the commission to adopt rules, regulations and orders, and to enter into interstate and Federal compacts; requiring persons who weigh, measure, sample or test milk to procure permits or certificates to take examinations, to pay fees therefor, to furnish certain notices, records and statements, and to use certain methods of weighing, measuring, sampling and testing; authorizing the commission to examine the business papers and premises of milk dealers and producers; requiring the keeping of records and the filing of reports by milk dealers, and permitting with limitations the use of information obtained thereby; authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor, and conferring certain powers upon the Governor with respect thereto; providing for appeals to the courts from decisions of the commission and for the burden of proof upon such appeals; prescribing penalties, fines and imprisonment for violations of this act and rules, regulations and orders of the commission; defining perjury; defining remedies; repealing legislation supplied and superseded by this act and saving rights, duties and proceedings thereunder, and making appropriations, further regulating the sale of milk on farms directly to consumers," was defeated on final passage on Tuesday, July 11, 1961, be reconsidered.

Mrs. REIBMAN. Mr. Speaker, I second the motion.

The SPEAKER pro tempore. How did the gentleman from Lawrence, Mr. Fox, vote on the final passage of this bill?

Mr. FOX. Mr. Speaker, I voted with the prevailing side.

The SPEAKER pro tempore. How did the lady from Northampton, Mrs. Reibman, vote on the final passage of this bill?

Mrs. REIBMAN. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED

Mr. FOX. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

TIME EXTENDED ON BILLS

Mr. McCANN asked and obtained unanimous consent to extend the time five days on House bill No. 1555, printer's No. 2173, on page 6 of today's calendar, bills on final passage postponed.

Mr. McCANN asked and obtained unanimous consent to extend the time five days on House bill No. 1790, printer's No. 2362, on page 7 of today's calendar, bills on final passage postponed.

BILLS AND RESOLUTIONS PASSED OVER

Mr. McCANN. Mr. Speaker, I request that all other bills and resolutions on today's calendar not acted upon be passed over.

The SPEAKER pro tempore. The Chair hears no objection.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY THE HOUSE

The clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House bill No. 853 entitled:

An Act amending the act of June 24, 1931 (P. L. 1206), entitled "The First Class Township Code" authorizing a change in the compensation of certain township commissioners.

And has appointed Messrs. LANE, DEVLIN and STEVENSON as a committee of conference to confer with a similar committee of the House of Representatives, (if the House of Representatives shall appoint such committee) on the subject of the differences between the two Houses in relation to said bill.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 853

The SPEAKER pro tempore. The Speaker has appointed as a Committee of Conference on the part of the House, Messrs. MURRAY, GUESMAN and THOMPSON.

Ordered, that the clerk inform the Senate accordingly.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY HOUSE

The clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House bill No. 990 entitled:

An Act amending the act of April 12, 1951 (P. L. 90), entitled "Liquor Code" prohibiting the offer and sale of malt and brewed beverages below cost by distributors and importing distributors and fixing penalties.

And has appointed Messrs. CAMIEL, HALUSKA and VAN SANT as a committee of conference to confer with a similar committee of the House of Representatives, (if the House of Representatives shall appoint such committee) on the subject of the differences between the two Houses in relation to said bill.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 990

The SPEAKER pro tempore. The Speaker has appointed as a Committee of Conference on the part of the House, Messrs. SCARCELLI, FRASCELLA and Mrs. MARKLEY.

Ordered, that the clerk inform the Senate accordingly.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS
NON-CONCURRED IN BY THE HOUSE

The clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House bill No. 1407 entitled:

An Act amending the act of June 3, 1937 (P. L. 1333), entitled "Pennsylvania Election Code" further regulating the affidavit of the circulator of a nomination petition.

And has appointed Messrs. MULLIN, MAHADY and SCOTT as a committee of conference to confer with a similar committee of the House of Representatives, (if the House of Representatives shall appoint such committee) on the subject of the differences between the two Houses in relation to said bill.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE
ON HOUSE BILL No. 1407

The SPEAKER pro tempore. The Speaker has appointed as a Committee of Conference on the part of the House, Messrs. PETROSKY, GALLAGHER and A. D. WILLIAMS, Jr.

Ordered, that the clerk inform the Senate accordingly.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 345.

An Act amending the act of July 28, 1953 (P. L. 723), entitled "Second Class County Code" requiring counties to acquire land in fee simple when taking land by eminent domain for the purpose of laying out or opening any road and authorizing sufficient property to be acquired to enable construction of roads of a certain width.

HOUSE BILL No. 519.

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" authorizing the use of chemical tests to determine intoxication of persons operating motor

vehicles authorizing and making the results of the chemical tests admissible in evidence.

HOUSE BILL No. 722.

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" by further providing for the termination of contracts of professional employees.

HOUSE BILL No. 728.

An Act amending the act of May 2, 1929 (P. L. 1518), entitled as amended "Elevator Regulation Law" changing the definition of "elevator" and regulating the repairing and renovating of elevators requiring permits and fixing fees for permits inspections and certificates.

HOUSE BILL No. 1025.

An Act authorizing and directing the Governor on behalf of the Commonwealth of Pennsylvania to execute an interstate compact concerning mental health and for related purposes.

HOUSE BILL No. 1293.

An Act amending the act of April 29, 1937 (P. L. 487), entitled as amended "The Permanent Registration Act for Cities of the Second Class, Cities of the Second Class A, Cities of the Third Class, Boroughs, Towns and Townships," changing provisions for proof of citizenship for certain persons previously registered.

HOUSE BILL No. 1595.

An Act amending the act of June 24, 1937 (P. L. 2051), entitled as amended "Public Assistance Law" further defining assistance to include certain dependent children and medical care for the aged and those persons eligible therefor and prescribing procedures, requirements and penalties incidental thereto.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGE

The clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Amended House bill returned for concurrence No. 53.

ADJOURNMENT

Mr. McINROY, Mr. Speaker, I move that this House do now adjourn until Wednesday, July 19, 1961, at 9 a. m., e. s. t.

The motion was agreed to, and (at 4:58 p. m., e. s. t.) the House adjourned.

Legislative Journal.

Session 1961.

145th of the General Assembly.

Vol. 38.

HARRISBURG, PA., WEDNESDAY, JULY 19, 1961.

No. 79.

SENATE

WEDNESDAY, JULY 19, 1961

The Senate met at 10:45 a. m., Eastern Standard Time.

The PRESIDING OFFICER (Joseph D. Ripp) in the Chair.

PRAYER

The Chaplain, Rev. Doctor RONALD F. YOUNG-BLOOD, Assistant Professor of Old Testament, Bethel Theological Seminary, St. Paul, Minnesota, offered the following prayer:

O Lord, our God, Thou Who dost vitally interpose Thy purposes into the affairs of men, we covet for this assemblage Thy gracious blessing as its Members once more work toward solutions of the numerous and diverse problems that face the people of this Commonwealth.

Grant, O God, that the acts of law which embody those solutions shall be as just and equitable to all concerned as it is humanly possible to make them. Delegate to these Thy servants those attributes of character and acumen that will most adequately prepare them for the tasks to which they have dedicated their time and talents. Free them from those faults which will prevent them from passing laws conducive to the welfare of all the people in this Commonwealth. Keep each Legislator from the sin of presuming that he is omniscient in every matter or that all the truth is on his side. Help these men to labor collectively in the single-minded desire to make sure that there shall be available to every individual human being in Pennsylvania the full heritage of democracy, in all its ramifications, which our predecessors struggled so mightily to maintain and develop.

In the name of Christ, our Lord, we pray. Amen.

JOURNAL APPROVED

The PRESIDING OFFICER. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WEINER and Mr. DONOLOW, further reading was dispensed with, and the Journal was approved.

HOUSE MESSAGES

SENATE BILLS RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives being introduced, returned to the Senate, **SB 592, 663 and 693**, with the information that the House has passed the same with

amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bills, as amended, will be placed on the Calendar.

HOUSE CONCURS IN SENATE BILLS

He also returned to the Senate, **SB 112, 462, 556, 557, 576, 582, 590, 620, 631 and 636**, with the information that the House has passed the same without amendments.

HOUSE INSISTS UPON ITS NONCONCURRENCE IN AMENDMENTS TO **HB 853**, AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists upon its nonconcurrence in Senate amendments to **HB 853**, and has appointed Messrs. MURRAY, GUESMAN and THOMPSON as a Committee of Conference to confer with a similar committee of the Senate (already appointed) to consider the differences existing between the two houses in relation to said bill.

HOUSE INSISTS UPON ITS NONCONCURRENCE IN AMENDMENTS TO **HB 990**, AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists upon its nonconcurrence in Senate amendments to **HB 990**, and has appointed Messrs. SCARCELLI, FRASCELLA and Mrs. MARKLEY as a Committee of Conference to confer with a similar committee of the Senate (already appointed) to consider the differences existing between the two houses in relation to said bill.

HOUSE INSISTS UPON ITS NONCONCURRENCE IN AMENDMENTS TO **HB 1407**, AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists upon its nonconcurrence in Senate amendments to **HB 1407**, and has appointed Messrs. PETROSKY, GALLAGHER and A. D. WILLIAMS as a Committee of Conference to confer with a similar committee of the Senate (already appointed) to consider the differences existing between the two houses in relation to said bill.

GENERAL COMMUNICATIONS

LETTER AND RESOLUTION FROM DISTRICT GRAND LODGE NUMBER THREE, B'NAI B'RITH

The PRESIDING OFFICER laid before the Senate the following communications, which were read by the Clerk as follows:

DISTRICT GRAND LODGE NUMBER THREE
B'NAI B'RITH

Pennsylvania, New Jersey, Delaware, West Virginia
1010 Dewey Building, 1 N. 13th Street,
Philadelphia 7, Pa.
Phones: LO 3-0244-5-6—LO 3-1249

Leonard Orloff, President—Philadelphia, Pa.
Judge Joseph L. Kun, Honorary Pres.—Philadel-
phia, Pa.

Samuel Gilbert, 1st Vice Pres.—Beaver Falls, Pa.
David Yelen, 2nd Vice Pres.—Wilkes-Barre, Pa.
Alan Silbergleit, 3rd Vice Pres.—Asbury Park,
N. J.

Theodore H. Cook, Secretary—Philadelphia, Pa.
Dr. Jacob P. Morrison, Treasurer—Philadelphia,
Pa.

Nathan Shapilo, Jr., Past Pres.—Teaneck, N. J.
Judge Samuel A. Weiss, Vice President, Supreme
Lodge—Pittsburgh, Pa.

Abraham Brenman, Board of Governors, Supreme
Lodge—Paterson, N. J.

June 29, 1961.

The Hon. Lieut. Governor John Morgan Davis,
President

State Senate of Pennsylvania
Senate Office Building
Harrisburg, Pa.

Dear Lieutenant Governor Davis:

At a recent Convention of District Grand Lodge
No. 3, B'nai B'rith, 750 Delegates, representing
25,000 members, unanimously adopted a Resolu-
tion on Arab unfairness in the conduct of the
affairs of American citizens.

I have been instructed to send the Legislature
of Pennsylvania a copy of this Resolution, which
I am enclosing.

We appreciate your interest and thank you for
your cooperation.

Sincerely yours,

/s/ Theodore H. Cook
THEODORE H. COOK,
Secretary

THC:afk
enc.

cc: Samuel Gilbert
Brant Coopersmith
Isadore Binstock
Louis Glickman

ARAB BOYCOTT

WHEREAS, Arab nations, functioning as the
Arab League, have been conducting a boycott of
American citizens, business and industry, and
have blacklisted all American ships which have
touched at Israeli ports of call, and

WHEREAS, American citizens of the Jewish
faith are generally not permitted to disembark on
Arab soil, by land, sea, or air, and are generally
excluded from private employment in any capa-
city in any Arab owned or controlled company, and

WHEREAS, many American business firms, a
number of them in Pennsylvania and New Jersey,
during 1960 received warnings through the United
States mails from Arab boycott officers in Damas-
cus and Kuwait that if Americans have commer-
cial dealings with Israel, they must forego doing
business with Arab countries, and

WHEREAS, The United States Navy reserves
the option to cancel the charter of any vessel
carrying Navy cargo, if any Arab country refuses
to allow the vessel to load or unload cargo, be-
cause the ship's charterers or owners have pre-
viously done business with Israel, and

WHEREAS, with the approval of the Depart-
ment of Agriculture, Commodity Credit Corpora-
tion and the United States Navy, contracts for the
shipment of the United States surplus wheat to

the United Arab Republic provided that the vessel
may not have traded at Israeli ports, and

WHEREAS, both the Democratic Party plat-
form and the Republican Party platform of 1960
pledged the protection of the rights of American
citizens to travel, to pursue lawful trade, and to
engage in other lawful activities abroad without
distinction as to race or religion; and to seek an
end to transit and trade restrictions, blockades
and blacklists, and further pledged to secure free-
dom of navigation on international waterways;

NOW THEREFORE BE IT RESOLVED, that
B'nai B'rith District Grand Lodge No. 3 in Con-
vention assembled calls upon the Legislatures of
Pennsylvania and New Jersey to adopt resolutions
already introduced within those bodies memo-
rializing the Federal Administration and Congress
to take a firm position against Arab interference
in the conduct of the affairs of American citizens
and businessmen, and to abstain from any co-
operation with Arab League boycott activities and
policies, and to resist any efforts by Arab Nations
to maintain or widen its boycott activities in Penn-
sylvania and New Jersey and the United States,
and

BE IT FURTHER RESOLVED, that the Presi-
dent of the United States be called upon to re-
state the position of the United States in opposi-
tion to these acts of discrimination against Ameri-
cans and that he instruct the United States delega-
tion to the United Nations to make known the
sentiments expressed in this resolution in every
possible manner, and

BE IT FURTHER RESOLVED, that copies of
this resolution be forwarded to the appropriate
officials of the Legislatures of Pennsylvania and
New Jersey, to the President of the United States,
Secretary of State, President of the United States
Senate, Speaker of the House of Representatives
and to members of Congress from Pennsylvania
and New Jersey.

The PRESIDING OFFICER. This letter, together with
the resolution, will appear in the Legislative Journal.

REPORTS FROM COMMITTEES

Mr. DONOLOW, on behalf of Mr. WADE, from the
Committee on Banking, reported, as committed, **SB 851**
and **860**.

Mr. HAYS, from the Committee on Education, reported,
as committed, **SB 130, 637, 734, 813, 814, 815, HB 810,**
1377, 1446 and 1630; as amended, **SB 828**.

RESOLUTION REPORTED FROM COMMITTEE

Mr. LANE, from the Committee on Rules, reported
without amendment, Senate Concurrent Resolution, **Serial**
No. 113, entitled:

Directing the Joint State Government Commission to
Study the Problem of Sex Offenders in Pennsylvania.

The PRESIDING OFFICER. The resolution will be
placed on the Calendar.

SENATE CONCURRENT RESOLUTION,
RECALLING SB 114 FROM THE GOVERNOR,
TAKEN FROM THE TABLE

Without objection, Mr. BERGER called from the table
Senate Concurrent Resolution, recalling Senate Bill No.
114, Printer's No. 894, from the Governor for the purpose
of amendment.

On the question,

Will the Senate adopt the resolution?

SENATE CONCURRENT RESOLUTION ADOPTED

Mr. BERGER. Mr. President, I move that the Senate do adopt this resolution.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to and the resolution was adopted.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

CALENDAR

BILLS ON CONCURRENCE IN HOUSE AMENDMENTS,
RECALLED FROM THE GOVERNOR

HB 828 (Pr. No. 2485)—Mr. WEINER. Mr. President, I move that the Senate do concur in the amendments made by the House to House Bill No. 828, recalled from the Governor.

Mr. LANE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,
Berger,
Camiel,
Chapman,
Confair,
Devlin,
DiSilvestro,
Donolow,
Ehrgood,
Flack,
Fleming,
Haluska,
Hawbaker,

Hays,
Kalman,
Keller,
Kessler,
Kromer,
Lane,
Madigan,
Mahady,
Mallery,
McCreesh,
McGinnis,
McMenamin,
Miller,

Mullin,
Murray,
Pechan,
Propert,
Rooney,
Sarraf,
Scott,
Sesler,
Seyler,
Shafer,
Silvert,
Stalsey,

Stevenson,
Stiefel,
Stroup,
Taylor,
Van Sant,
Wade,
Wagner,
Ware, III,
Weiner,
Wolfe,
Yatron,
Ripp,
Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HB 987 (Pr. No. 2468)—Mr. WEINER. Mr. President, I move that the Senate do concur in the amendments made by the House to House Bill No. 987, recalled from the Governor.

Mr. LANE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,
Berger,
Camiel,
Chapman,
Confair,
Devlin,
DiSilvestro,
Donolow,
Ehrgood,
Flack,
Fleming,
Haluska,
Hawbaker,

Hays,
Kalman,
Keller,
Kessler,
Kromer,
Lane,
Madigan,
Mahady,
Mallery,
McCreesh,
McGinnis,
McMenamin,
Miller,

Mullin,
Murray,
Pechan,
Propert,
Rooney,
Sarraf,
Scott,
Sesler,
Seyler,
Shafer,
Silvert,
Stalsey,

Stevenson,
Stiefel,
Stroup,
Taylor,
Van Sant,
Wade,
Wagner,
Ware, III,
Weiner,
Wolfe,
Yatron,
Ripp,
Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

SB 201 (Pr. No. 1061)—Mr. WEINER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 201.

Mr. LANE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,
Berger,
Camiel,
Chapman,
Confair,
Devlin,
DiSilvestro,
Donolow,
Ehrgood,
Flack,
Fleming,
Haluska,
Hawbaker,

Hays,
Kalman,
Keller,
Kessler,
Kromer,
Lane,
Madigan,
Mahady,
Mallery,
McCreesh,
McGinnis,
McMenamin,
Miller,

Mullin,
Murray,
Pechan,
Propert,
Rooney,
Sarraf,
Scott,
Sesler,
Seyler,
Shafer,
Silvert,
Stalsey,

Stevenson,
Stiefel,
Stroup,
Taylor,
Van Sant,
Wade,
Wagner,
Ware, III,
Weiner,
Wolfe,
Yatron,
Ripp,
Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILLS ON CONCURRENCE IN HOUSE AMENDMENTS,
OVER IN ORDER

SB 312, 472 and 525—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

FINAL PASSAGE CALENDAR

BILLS OVER IN ORDER

SB 493, HB 1082, 1140, 1241, 1367 and 1450—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

THIRD READING CALENDAR

BILL OVER IN ORDER

SB 23—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILL ON THIRD READING AND FINAL PASSAGE

HB 67 (Pr. No. 2512)—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,
Berger,
Camiel,
Chapman,
Confair,
Devlin,
DiSilvestro,

Hays,
Kalman,
Keller,
Kessler,
Kromer,
Lane,
Madigan,

Mullin,
Murray,
Pechan,
Propert,
Rooney,
Sarraf,
Scott,

Stevenson,
Stiefel,
Stroup,
Taylor,
Van Sant,
Wade,
Wagner,

Donolow,
Ehrgood,
Flack,
Fleming,
Haluska,
Hawbaker,

Mahady,
Mallery,
McCreesh,
McGinnis,
McMenamin,
Miller,

Sesler,
Seyler,
Shafer,
Silvert,
Stalsey,

Ware, III,
Weiner,
Wolfe,
Yatron,
Ripp,
Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

BILL OVER IN ORDER

HB 95—Without objection, the bill was passed over in its order at the request of Mr. LANE.

BILL ON THIRD READING AMENDED

SB 196 (Pr. No. 1044)—Read at length the third time, On the question,
Will the Senate agree to the bill on third reading?
Mr. SEYLER, by unanimous consent, offered the following amendment:

Amend Sec. 1 (Sec. 1166), page 3, line 8, by striking out "WITHOUT PAY."

On the question,

Will the Senate agree to the amendment?

It was agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. SEYLER.

BILL ON THIRD READING AND FINAL PASSAGE

SB 202 (Pr. No. 208)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,
Berger,
Camel,
Chapman,
Confair,
Devlin,
DiSilvestro,
Donolow,
Ehrgood,
Flack,
Fleming,
Haluska,
Hawbaker,

Hays,
Kalman,
Keller,
Kessler,
Kromer,
Lane,
Madigan,
Mahady,
Mallery,
McCreesh,
McGinnis,
McMenamin,
Miller,

Mullin,
Murray,
Pechan,
Propert,
Rooney,
Sarraf,
Scott,
Sesler,
Seyler,
Shafer,
Silvert,
Stalsey,

Stevenson,
Stiefel,
Stroup,
Taylor,
Van Sant,
Wade,
Wagner,
Ware, III,
Weiner,
Wolfe,
Yatron,
Ripp,
Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

PERMISSION TO ADDRESS SENATE

Mr. LANE asked and obtained unanimous consent to address the Senate.

Mr. LANE. Mr. President, I would like to indulge the time of the Senate for just a moment to make a remark about Senate Bill No. 202. I will be very brief and to

the point. I know we are on the Calendar, but this is quite an important piece of legislation for the citizens of southwestern Pennsylvania because the Senate of Pennsylvania has unanimously adopted this legislation. It will permit the Historical and Museum Commission to purchase Bowman's Castle, which is an old landmark in Brownsville. It has a very historic background.

During the Revolutionary War and the Civil War, a number of dignitaries made their headquarters at Bowman's Castle. It is generally called "The Castle on the Rhine," even though it is in Pennsylvania. The architectural structure of this castle is similar to the castles which overlook the great Rhine River in Germany.

I am very happy, indeed, that the Senate saw fit to pass this legislation and I hope the House will take similar action.

PERMISSION TO ADDRESS SENATE

Mr. BERGER asked and obtained unanimous consent to address the Senate.

Mr. BERGER. Mr. President, I ask the indulgence of the Chair and the Members of the Senate to make a very brief statement by congratulating Senator Lane on having had his "Castle Bill" approved. I had thought I might amend it to place Ole Bull's Castle in the same bill. However, one castle at a time, I agree, is enough.

PERMISSION TO ADDRESS SENATE

Mr. WEINER asked and obtained unanimous consent to address the Senate.

Mr. WEINER. Mr. President, I think Senator Lane is certainly entitled to consideration ahead of anyone else. He has introduced this same bill during many Sessions of the Legislature. We certainly wish him good luck and Godspeed with his castle.

PERMISSION TO ADDRESS SENATE

Mr. BERGER asked and obtained unanimous consent to address the Senate.

Mr. BERGER. Mr. President, in that connection, I might point out there is some history involved in this castle. I think a little check of the History would find that I have had my castle in for a good while, too.

BILLS OVER IN ORDER

SB 260 and 351—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

SB 353—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILL ON THIRD READING AND FINAL PASSAGE

HB 616 (Pr. No. 1639)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,
Berger,
Camel,
Chapman,
Confair,
Devlin,
DiSilvestro,

Hays,
Kalman,
Keller,
Kessler,
Kromer,
Lane,
Madigan,

Mullin,
Murray,
Pechan,
Propert,
Rooney,
Sarraf,
Scott,

Stevenson,
Stiefel,
Stroup,
Taylor,
Van Sant,
Wade,
Wagner,

Donolow, Ehrgood, Flack, Fleming, Haluska, Hawbaker,	Mahady, Mallery, McCreesh, McGinnis, McMenamin, Miller,	Sesler, Seyler, Shafer, Silvert, Stalsey,	Ware, III, Weiner, Wolfe, Yatron, Ripp, Presiding Officer
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NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

SB 646—Without objection, the bill was passed over in its order at the request of Mr. HAYS.

BILLS ON THIRD READING AND FINAL PASSAGE

SB 671 (Pr. No. 781)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Berger, Camiel, Chapman, Confair, Devlin, DiSilvestro, Donolow, Ehrgood, Flack, Fleming, Haluska, Hawbaker, Hays,	Kalman, Keller, Kessler, Kromer, Lane, Madigan, Mahady, Mallery, McCreesh, McGinnis, McMenamin, Miller,	Mullin, Murray, Pechan, Propert, Rooney, Sarraf, Scott, Sesler, Seyler, Shafer, Silvert, Stalsey,	Stevenson, Stiefel, Stroup, Taylor, Van Sant, Wade, Wagner, Ware, III, Weiner, Wolfe, Yatron, Ripp, Presiding Officer
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NAYS—1

Bell,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SB 687 (Pr. No. 1094)—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bell, Berger, Camiel, Chapman, Confair, Devlin, DiSilvestro, Donolow, Ehrgood, Flack, Fleming, Haluska,	Hawbaker, Hays, Kalman, Keller, Kessler, Kromer, Lane, Madigan, Mallery, McCreesh, McGinnis, Miller,	Mullin, Murray, Pechan, Propert, Rooney, Sarraf, Scott, Sesler, Seyler, Shafer, Silvert, Stalsey,	Stevenson, Stiefel, Stroup, Taylor, Van Sant, Wade, Wagner, Ware, III, Weiner, Wolfe, Yatron, Ripp, Presiding Officer
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NAYS—2

Mahady,	McMenamin,
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A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

SB 688 and 690—Without objection, the bills were passed over in their order at the request of Mr. HAYS.

SB 811, 852 and HB 1015—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

HB 1098, 1105 and 1172—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

BILLS ON THIRD READING AND FINAL PASSAGE

HB 1206 (Pr. No. 1378)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Bell, Berger, Camiel, Chapman, Confair, DiSilvestro, Donolow, Ehrgood, Flack, Fleming, Haluska, Hawbaker,	Kalman, Keller, Kessler, Kromer, Lane, Madigan, Mallery, McCreesh, McGinnis, McMenamin, Miller,	Mullin, Murray, Pechan, Propert, Rooney, Sarraf, Scott, Sesler, Shafer, Silvert, Stevenson,	Stiefel, Stroup, Taylor, Van Sant, Wade, Wagner, Weiner, Wolfe, Yatron, Ware, III, Ripp, Presiding Officer
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NAYS—5

Devlin, Hays,	Mahady,	Seyler,	Stalsey,
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A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 1207 (Pr. No. 1379)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Bell, Berger, Camiel, Chapman, Confair, DiSilvestro, Donolow, Ehrgood, Flack, Fleming, Haluska,	Hawbaker, Kalman, Keller, Kessler, Kromer, Madigan, Mallery, McCreesh, McGinnis, McMenamin, Miller,	Mullin, Murray, Pechan, Propert, Rooney, Sarraf, Scott, Sesler, Shafer, Silvert, Stevenson,	Stiefel, Stroup, Taylor, Van Sant, Wade, Wagner, Ware, III, Weiner, Wolfe, Yatron, Ripp, Presiding Officer
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NAYS—6

Devlin, Hays,	Lane, Mahady,	Seyler,	Stalsey,
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A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

HB 1402, 1403 and 1414—Without objection, the bills passed over in their order at the request of Mr. BERGER.

HB 1515 and 1551—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

SECOND READING CALENDAR

APPROPRIATION BILLS ON SECOND READING

SB 584 (Pr. No. 661), SB 586 (Pr. No. 1105), HB 761 (Pr. No. 834) and HB 769 (Pr. No. 842)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

HB 799—Read at length the second time,

On the question,

Will the Senate agree to the bill on second reading?

Mr. MAHADY. Mr. President, these appropriation bills just hit the Calendar yesterday and we have not caucused on them. Therefore, I request that House Bill No. 799, Printer's No. 2471, and the remaining bills on page 11 of the Calendar, go over in order.

Mr. WEINER. Mr. President, may we be at ease a moment?

The PRESIDING OFFICER. The Senate will be at ease. (The Senate was at ease.)

Mr. MAHADY. Mr. President, I withdraw my request that this bill and the remaining bills on page 11 of the Calendar go over in order.

And the question recurring,

Will the Senate agree to the bill on second reading?

It was agreed to.

Ordered, To be transcribed for a third reading.

HB 802 (Pr. No. 875), HB 805 (Pr. No. 878), HB 806 (Pr. No. 879), HB 1193 (Pr. No. 1365), HB 1194 (Pr. No. 1366), HB 1195 (Pr. No. 1367), HB 1196 (Pr. No. 1368), HB 1197 (Pr. No. 1369), HB 1198 (Pr. No. 1370) and HB 1199 (Pr. No. 1371)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON SECOND READING

HB 57 (Pr. No. 57), HB 161 (Pr. No. 161), SB 225 (Pr. No. 233), SB 238 (Pr. No. 1104) and HB 300 (Pr. No. 329)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

HB 337—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

SB 375—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

SB 473, HB 573, SB 598 and 611—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

SB 613—Without objection, the bill was passed over in its order at the request of Mr. HAYS.

SB 644 and 692—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

BILL RECOMMITTED

SB 741 (Pr. No. 871)—Mr. SHAFER. Mr. President, I

move that Senate Bill No. 741 be recommitted to the Committee on Judiciary General.

Mr. FLEMING. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. MAHADY. Mr. President, I request that a roll call vote be taken on this motion.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. MAHADY, and were as follows, viz:

YEAS—50

Bell,
Berger,
Camiel,
Chapman,
Confair,
Devlin,
DiSilvestro,
Donolow,
Ehrgood,
Flack,
Fleming,
Haluska,
Hawbaker,

Hays,
Kalman,
Keller,
Kessler,
Kromer,
Lane,
Madigan,
Mahady,
Mallery,
McCreesh,
McGinnis,
McMenamin,
Miller,

Mullin,
Murray,
Pechan,
Propert,
Rooney,
Sarraf,
Scott,
Sesler,
Seyler,
Shafer,
Silvert,
Stalsey,

Stevenson,
Stiefel,
Stroup,
Taylor,
Van Sant,
Wade,
Wagner,
Ware, III,
Weiner,
Wolfe,
Yatron,
Ripp,
Presiding Officer

NAYS—0

So the question was determined in the affirmative, and the bill was recommitted.

BILL OVER IN ORDER

SB 758—Without objection, the bill was passed over in its order at the request of Mr. LANE.

BILL ON SECOND READING

SB 769 (Pr. No. 917)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

SB 791—Without objection, the bill was passed over in its order at the request of Mr. LANE.

SB 801—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

SB 806—Without objection, the bill was passed over in its order at the request of Mr. HAYS.

HB 826—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILL ON SECOND READING

SB 858 (Pr. No. 1081)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

SB 867—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILLS ON SECOND READING

HB 884 (Pr. No. 973) and HB 1075 (Pr. No. 1192)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

HB 1085, 1099, 1101, 1163, 1190 and 1220—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

BILLS ON SECOND READING

HB 1234 (Pr. No. 1408) and HB 1263 (Pr. No. 1694)—Read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

HB 1335 and 1440—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

BILL ON SECOND READING

HB 1476 (Pr. No. 1809)—Read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

HB 1496—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILL ON SECOND READING

HB 1588 (Pr. No. 1989)—Read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

HB 1616, 1621 and 1652—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

BILLS ON SECOND READING

HB 1666 (Pr. No. 2516), HB 1667 (Pr. No. 2517) and HB 1678 (Pr. No. 2112)—Read at length the second time and agreed to,
Ordered, to be transcribed for a third reading.

BILLS OVER IN ORDER

HB 1683 and 1704—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

SENATE RESOLUTION, SERIAL No. 81
CALLED UP

Mr. WEINER, without objection, called up from page 22 of the Calendar, Senate Resolution, **Serial No. 81**, entitled:

Directing the Joint State Government Commission to Study Compulsive disorders, Such as Alcoholism, drug Addiction and Gambling

On the question,

Will the Senate adopt the resolution?

SENATE RESOLUTION, **SERIAL No. 81**, ADOPTED

Mr. WEINER. Mr. President, I move that the Senate do adopt Senate Resolution, **Serial No. 81**.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to and the resolution was adopted.

SENATE RESOLUTION, SERIAL No. 85
CALLED UP

Mr. WEINER, without objection, called up from page 22 of the Calendar, Senate Resolution **Serial No. 85**, entitled:

Requesting the Construction of a Bridge or Tunnel Between Delaware County and the State of New Jersey

On the question,

Will the Senate adopt the resolution?

SENATE RESOLUTION, **SERIAL No. 85**, ADOPTED

Mr. WEINER. Mr. President, I move that the Senate do adopt Senate Resolution, **Serial No. 85**.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to and the resolution was adopted.

COMMITTEE APPOINTED PURSUANT TO
SENATE RESOLUTION, SERIAL No. 82

The PRESIDING OFFICER. The Chair announces, on behalf of the President pro tempore, the appointment of the following committee pursuant to Senate Resolution, **Serial No. 82**: the gentleman from Philadelphia, Mr. Donolow; the gentleman from York, Mr. Seyler; the gentleman from Luzerne, Mr. Murray; the gentleman from Lancaster, Mr. Kessler; and the gentleman from Lebanon, Mr. Ehrgood.

REPORT FROM COMMITTEE ON EXECUTIVE
NOMINATIONS

Mr. DEVLIN, by unanimous consent, from the committee on Executive Nominations, reported the following nominations, made by his Excellency, the Governor, which were laid on the table:

JUDGE, COURT OF COMMON PLEAS,
LUZERNE COUNTY

July 12, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Charles A. Shea, Jr., Raeder Avenue, Nuangola Lake, Luzerne County, for appointment as Judge of the Court of Common Pleas of the Eleventh Judicial District of Pennsylvania, composed of the County of Luzerne, until the first Monday of January 1962, vice Hon. J. Harold Flannery, deceased.

DAVID L. LAWRENCE

ALDERMAN

July 6, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Ruth F. Geduldig, 9 Daniel Street, Uniontown, Fayette County, for appointment as Alderman in and for the First Ward of the City of Uniontown, Fayette County, to serve until the first Monday of January 1962, vice John S. Albright, Sr., deceased.

DAVID L. LAWRENCE

MEMBER OF THE PHILADELPHIA COUNTY
BOARD OF ASSISTANCE

July 17, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mayer I. Blum (Republican), 2601 Benjamin Franklin Parkway, Philadelphia 30, Philadelphia County, for appointment as a member of the Philadelphia County Board of Assistance, until December 31, 1961, and until his successor is duly appointed and qualified, vice John G. Keck, Philadelphia, resigned.

DAVID L. LAWRENCE

MEMBERS OF THE BOARD OF TRUSTEES OF EDINBORO STATE COLLEGE

July 17, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Board of Trustees of Edinboro State College:

Hugh A. O'Hare, 101 East Smith Street, Corry, Erie County, until the third Tuesday of January 1965, and until his successor shall have been appointed and qualified, vice Malcolm B. Mershon, Girard, whose term expired.

Hyman A. Roseman, 638 Vermont Avenue, Erie, Erie County, until the third Tuesday of January 1967, and until his successor shall have been appointed and qualified, vice W. Verne Zahneiser, Edinboro, whose term expired.

DAVID L. LAWRENCE

MEMBER OF THE BOARD OF TRUSTEES OF NANTICOKE STATE HOSPITAL

July 11, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John K. Evans, 23 East Green Street, Nanticoke, Luzerne County, for reappointment as a member of the Board of Trustees of Nanticoke State Hospital, until the third Tuesday of January 1965, and until his successor is appointed and qualified.

DAVID L. LAWRENCE

MEMBER OF THE BOARD OF TRUSTEES OF WARREN STATE HOSPITAL

July 6, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John H. Bailey, Jr., 362 Sherman Street, Meadville, Crawford County, for appointment as a member of the Board of Trustees of Warren State Hospital, until the third Tuesday of January 1965, and until his successor is appointed and qualified, vice Donald C. Smith, Warren, resigned.

DAVID L. LAWRENCE

JUSTICE OF THE PEACE

April 24, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Robert C. Krause, R. D. 1, Barnesville, Schuylkill County, for appointment as Justice of the Peace in and for the Township of Rush, Schuylkill County, to serve until the first Monday of January 1962, vice Arthur L. Walter, resigned.

DAVID L. LAWRENCE

PERMISSION TO ADDRESS SENATE

Mr. MULLIN asked and obtained unanimous consent to address the Senate.

Mr. MULLIN. Mr. President, yesterday in the Senate, there were some reference made to a town in Cumberland County, called Newville. Newville is a town with which I am associated inasmuch as my wife went to school there and I visit there very frequently among her friends and relatives. Since one of my colleagues here gave the im-

pression that they were weeping and gnashing their teeth because of the economic conditions existing there, I made some inquiries last evening. I found that Newville has the least unemployment in the Commonwealth of Pennsylvania. About four or five years ago, a cannery which was located in Newville closed up. However, that had no economic impact whatsoever.

Concerning their public Assistance situation, there are twenty people on Public Assistance. Of these, sixteen cases are on Old Age Assistance. One of the cases is a blind pensioner; one is on Aid to Dependent Children; one is on General Assistance; and one case is Aid for the Disabled. I received that information from the Department of Public Welfare. My information concerning unemployment stated that it is the one district with the least unemployment in the Commonwealth of Pennsylvania. That information came from the Department of Labor and Industry.

I called up one of my friends in Newville and asked him about things over there. He told me that things are very fine, everybody is happy, and there is no distress whatsoever. I also asked him whether there was a building over here that had three feet of manure on the floor. By the way, he told me that the word "manure" was a polite word and that one time, one of the men sent his daughter over to a neighboring county to college. She came back and objected to her father using that word to describe the reason for the fine shrubbery and his corn. He told her that she should mind her own business. It took her twenty years to get him to use that word.

The gentleman to whom I spoke was a Democrat, who was elected to a school board office in a Republican town. He told me that this building which had the manure in it may be the Republican headquarters over in Franklin County, for all he knows. He told me, as far as he knows, there is no such building in Newville or the surrounding area.

This reminded me of a story they tell about a man who was running for President of the United States. I think his name was William Jennings Bryan. He was running for President and he spoke quite often to the farmers. On one occasion, he was asked to speak. They had no platform and so they used a manure spreader. He remarked to the crowd that this was the first time in his life when he had spoken from a Republican platform.

The PRESIDING OFFICER. The Chair will request if there are any remarks to be made, will you kindly hold them for Petitions and Remonstrances?

BILLS INTRODUCED AND REFERRED

Messrs. SARRAF, WEINER and RIPP, by unanimous consent, presented to the Chair **SB 872**, entitled:

An Act to authorize the Department of Health and County Departments of Health to render home nursing care services and to charge fees therefor.

Which was committed to the Committee on Public Health and Welfare.

Messrs. SILVERT, WEINER and LANE, by unanimous consent presented to the Chair **SB 873**, entitled:

An Act nullifying the liability of the Commonwealth for payment of interest on certain claims and debts.

Which was committed to the Committee on State Government.

REPORTS FROM COMMITTEE

Mr. MURRAY, by unanimous consent, from the Committee on Highways, reported, as committed, **HB 81, 719, 1232, 1415, 1617 and 1794.**

ANNOUNCEMENT CONCERNING CANCELLATION OF MEETING OF COMMITTEE ON FORESTS AND WATERS, GAME AND FISH

Mr. STAISEY. Mr. President, there was a meeting of the Committee on Forests and Waters, Game and Fish called for 11:30 a.m., and I want to apologize to the Members. That meeting was canceled—and they all should have been notified—because of the extended hearings that are being held on House bill No. 1162 by the Committee on State Government, of which I am Vice-Chairman.

The meeting of the Committee on Forests and Waters, Game and Fish will be held next Tuesday. If any Members who have an interest in any bills that remain in my care will contact me, the bills shall be considered.

BILLS ON FIRST READING

Mr. LANE. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. DEVLIN. Mr. President, I second the motion.

The motion was agreed to.

The bills were as follows:

SB 130, 637, 734, 813, 814, 815, 828, 851, 860, HB 81, 719, 810, 1232, 1377, 1415, 1446, 1617, 1630 and 1794.

And said bills having been read at length for the first time,

Ordered, To be laid aside for second reading.

The PRESIDENT pro tempore (Anthony J. DiSilvestro) in the Chair.

BILLS SIGNED

The President pro tempore (Anthony J. DiSilvestro) in the presence of the Senate signed the following bills:

SB 112, 455, 462, 526, 556, 557, 576, 582, 590, 620, 631, 636, HB 345, 519, 722, 728, 1025, 1293, 1294 and 1595.

The PRESIDING OFFICER (Joseph D. Ripp) in the Chair.

EXECUTIVE NOMINATIONS

EXECUTIVE SESSION

A motion was made by Mr. DEVLIN and Mr. LANE, by unanimous consent,

That the Senate do now resolve itself into Executive Session for the purpose of considering certain nominations made by the Governor.

Which was agreed to.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. DEVLIN asked and obtained unanimous consent for immediate consideration of the nominations made by His Excellency, the Governor, and reported from committee at today's Session.

NOMINATIONS TAKEN FROM THE TABLE

Mr. DEVLIN. Mr. President, I call from the table for consideration the nominations reported from committee today.

The PRESIDING OFFICER. The Clerk will read the nominations.

The nominations were read by the Clerk as follows:

JUDGE, COURT OF COMMON PLEAS, LUZERNE COUNTY

July 12, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Charles A. Shea, Jr., Raeder Avenue, Nuangola Lake, Luzerne County, for appointment as Judge of the Court of Common Pleas of the Eleventh Judicial District of Pennsylvania, composed of the County of Luzerne, until the first Monday of January 1962, vice Hon. J. Harold Flannery, deceased.

DAVID L. LAWRENCE

ALDERMAN

July 6, 1961.

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In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Ruth F. Geduldig, 9 Daniel Street, Uniontown, Fayette County, for appointment as Alderman in and for the First Ward of the City of Uniontown, Fayette County, to serve until the first Monday of January 1962, vice John S. Albright, Sr., deceased.

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July 17, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mayer I. Blum (Republican), 2601 Benjamin Franklin Parkway, Philadelphia 30, Philadelphia County, for appointment as a member of the Philadelphia County Board of Assistance, until December 31, 1961, and until his successor is duly appointed and qualified, vice John G. Keck, Philadelphia, resigned.

DAVID L. LAWRENCE

MEMBERS OF THE BOARD OF TRUSTEES OF EDINBORO STATE COLLEGE

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To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Board of Trustees of Edinboro State College.

Hugh A. O'Hare, 101 East Smith Street, Corry, Erie County, until the third Tuesday of January 1965, and until his successor shall have been appointed and qualified, vice Malcolm B. Mershon, Girard, whose term expired.

Hyman A. Roseman, 638 Vermont Avenue, Erie, Erie County, until the third Tuesday of January 1967, and until his successor shall have been appointed and qualified, vice W. Verne Zahneiser, Edinboro, whose term expired.

DAVID L. LAWRENCE

MEMBER OF THE BOARD OF TRUSTEES OF NANTICOKE STATE HOSPITAL

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nominate for the advice and consent of the Senate John K. Evans, 23 East Green Street, Nanticoke, Luzerne County, for reappointment as a member of the Board of Trustees of Nanticoke State Hospital, until the third Tuesday of January 1965, and until his successor is appointed and qualified.

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MEMBER OF THE BOARD OF TRUSTEES OF
WARREN STATE HOSPITAL

July 6, 1961.

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DAVID L. LAWRENCE

JUSTICE OF THE PEACE

April 24, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Robert C. Krause, R. D. 1, Barnesville, Schuylkill County for appointment as Justice of the peace in and for the Township of Rush, Schuylkill County, to serve until the first Monday of January 1962, vice Arthur L. Walter, resigned.

DAVID L. LAWRENCE

On the question,

Will the Senate advise and consent to the nominations?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Probert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarraf,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Staisey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. DEVLIN. Mr. President, I move that the Executive Session do now rise.

Mr. STAISEY. Mr. President, I second the motion.

The motion was agreed to.

PERSONAL PRIVILEGE

Mr. BELL. Mr. President, I rise to a question of personal privilege.

The PRESIDING OFFICER. The gentleman from Delaware, Mr. Bell, will state it.

Mr. BELL. Mr. President, this is in the form of a veiled threat.

The PRESIDING OFFICER. Let us unveil it. You may proceed.

Mr. BELL. Mr. President and gentlemen of the Senate, yesterday afternoon I experienced something that I have not experienced previously in some seven years in the Legislature.

I was told by a person, on whom I rely for accuracy, that the Democratic leadership in the House of Representatives was going to call up and attempt to pass Resolution No. 88 of the House of Representatives, which is found on page 371 of their History. This resolution is one criticizing and censuring me because I have not agreed to the confirmation of certain appointees of the Governor.

When this resolution was first introduced on June 29, 1961, I only saw this as the naive murmurings of the Delaware County Democratic donkey. However, after this gentleman came to me yesterday and told me that if I did not concur in these appointees there would be an attempt made in the House by the leadership of the Democratic Party to censure me, this gentleman now sounds like the agonizing and frightened braying of the proverbial jackass that is lost in the wilderness.

I am going to cover very briefly what is in this resolution. It states that the Governor had appointed—

POINT OF ORDER

Mr. WEINER. Mr. President, I rise to a point of order.

The PRESIDING OFFICER. The gentleman from Philadelphia, Mr. Weiner, will state it.

Mr. WEINER. Mr. President, I do not want to be rude and interrupt the gentleman while he is speaking. However, it seems to me that it would be highly out of order to discuss something that is going on in the House. It has no bearing here with either the leadership or the people in charge. We have no way of knowing who said what to whom and why. To debate a resolution that is not even before us and has not even come out of committee in the House, I think is highly out of order here.

The record is already in front of everybody here and they can very easily ascertain this for themselves. This matter is not really before us.

Mr. BELL. Mr. President, the gentleman's point is well-taken. I will concur in it, and I will just state what is not before us and what is not in the House.

I was criticized for not concurring in the appointment of eleven appointees, and this was on June 29, 1961. The records of the Senate of Pennsylvania will indicate that three of these people were given the concurrence of the Senate two days previously.

Let us analyze the eight who are remaining. One of the appointees is the Delaware County Chairman of the Democratic Party, Mr. James J. Connor, who has been appointed to the Pennsylvania Securities Commission. Just yesterday, in this Chamber there was a bill passed that would set his pay at \$15,000 a year.

I think a person appointed to the Pennsylvania Securities Commission, who is one of three commissioners who regulate the registration of securities and items of that nature in the Commonwealth of Pennsylvania, should be a man who is qualified in the security field and in the investment field. I do not think the fact that he is Chair-

man of the Democratic Party in Delaware County is sufficient qualification.

I have been studying his qualifications. He is a very fine man, personally. I think an awful lot of him, personally. He is a successful businessman. However, I have yet to find the technical qualifications to make him one of those three key men in Pennsylvania.

The second one of these eight is a gentleman called William J. Coopersmith, Chairman of the Democratic City Committee of the City of Chester, who is, again, a very fine person individually and a very successful Democrat. He has been offered for my concurrence as a Member of the Navigation Commission for the Delaware River.

I am also studying his qualifications. I feel that this Navigation Commission for the Delaware River, which controls the deep water traffic to and from the port of Chester, the port of Philadelphia and the port of Trenton, requires qualified men. They should have more qualifications than the political endorsement of the Delaware County Democratic Committee. As far as I know, Mr. Coopersmith's sole qualification, in addition to being a very fine person with a wonderful personality, is that at one time he owned an outboard motorboat.

The third person, whom I have been studying very carefully, is a lady by the name of Dorothy T. Marcucci. I did not know who this lady was, and I looked into her background and found that she is the Vice-Chairman of the Democratic County Committee of Delaware County. She is seeking appointment and has been appointed by the Governor of Pennsylvania to the Board of Trustees of Byberry or the Philadelphia State Mental Hospital.

Those of you gentlemen from the city of Philadelphia know that Marple, in the county of Delaware, is a long way off from Byberry. I am sure there are people in Philadelphia who are qualified for this job. However, that is not why I am studying her qualifications.

I am going to go back a little bit into history. There was a man named Harry Shapiro, with whom I differed radically when he cut down the apple trees at the mental institutions and when he removed the locks from the State criminally insane institution and a lot of the boys took off. However, I have always respected him for his dedication to the mentally ill of Pennsylvania. Harry Shapiro did tremendous good for our mental institutions in Pennsylvania. Harry Shapiro prohibited politics in our State mental institutions in Pennsylvania.

Back in 1959, when Governor Lawrence took office, we had murmurs up here in Harrisburg to the effect that politics were coming into our mental institutions. I recall Governor Lawrence's statement that he would not interfere with the State employees of mental institutions participating in politics because, he said, they were not second-rate citizens.

When I see that the Vice-Chairman of a County Democratic Committee has been appointed as a mental hospital trustee, I am not going to endorse further politics in our mental institutions. That is why I have held up this appointment.

We have in the county of Delaware a new mental hospital—a State mental hospital—called the Delaware County Mental Hospital. There has been no board of trustees appointed for this mental hospital, although it is State-owned and operated. I have heard rumors—and I intend to get to the source of them—that for a person

to get a job in this new State hospital in Delaware County, he has to have political endorsement. I denounce politics in our mental hospitals. I join with the Chairman of the Mental Health Committee of Southeastern Pennsylvania in the attack on this problem. This is no place for the spoils system. This is another reason why I have refused to give my endorsement to the appointment of the Vice-Chairman of the Delaware County Democratic Committee to the board of a mental hospital.

Gentlemen, I am not going to analyze this request because I think you can read the point of order for yourself. However, it is highly, highly improper for another house to criticize a Member of this house because the Member of this house performs his duties to his constituents by thoroughly analyzing the qualifications of appointees to State boards and commissions.

I represent 553,000 constituents, and I bitterly resent this new type of government that would permit a motion of censure of me in the House of Representatives for performing my God-given right to study and analyze the qualifications of people for State office.

Mr. WEINER. Mr. President, I feel it is unfortunate that the gentleman did not take out a list of some of these boards and commissions when he was elected in 1954. If you wanted to read the Who's Who of the Republican Party, you merely had to run down the lists of the boards and commissions and you would have found that everyone of these people who were listed all came from and were appointed by the people then in office, who were Republicans and endorsed by the Republican Party.

I remember when I came to this Senate, there were only eighteen Democrats and thirty-two Republicans. In order for them to confirm anyone, they needed thirty-four votes, as we do today. I remember many names going across the desk. I remember many of the people in this Chamber came to me and said that so-and-so is on the Executive Committee of the Republican Party, and that so-and-so is in my community and it is important to me that he be appointed. We looked into these people and most of these people, who just happened to be Republicans, were decent and nice people. They were people who served and served well. As a matter of fact, many of them brought no shame at all to the hospitals or to the institution in which they served.

Is the gentleman trying to tell us that because somebody comes out of a Democratic organization or because the Democrats are in power and want to put these people on the boards, that these people are going to bring shame on the institutions or that they are going to bring some kind of a horror into these places? This simply is not true. Since the Democratic Administration has been in, beginning with Governor Leader and through Governor Lawrence, there have not been any problems at all in these institutions from these board members or board people.

If the Senator is moved by other motivations—and I suspect this might be the case—and is not interested in approving anyone who happens to be a Democrat, that is a different consideration. It might be that the facts of life are such that things have changed, even in Delaware County. He might have to become aware of the fact that the people who live down there certainly are not going to recommend people who are Republicans to jobs to

which they can send Democrats, despite the fact that they are nonpaying jobs, mean nothing to these people, and are just honorary.

If they find qualified people and they do not appoint them just because they happen to have a dual relationship in the sense that they are active in the Democratic Party or in the Republican Party, or whatever they might be, we are going to be at a loss to appoint anyone. Who becomes active in these Parties? Who takes positions of some standing in these places, other than those who have some standing in the community? They are usually people who have been successful in some other area. To disqualify them because they happen to be registered a certain way, is certainly a narrow point of view and certainly a type of view that I would hope the Members of this Senate would never take and have not, to this date, taken.

It seems very peculiar to me that we have been confirming people ever since this Session began and the only time when we have not confirmed anyone of any note, or more than one or two people, has been in Delaware County. There surely are twenty-five other Senators on the other side who have people from their communities coming through also. There have been Republicans and Democrats. They have not seen fit to hold any of them up. Maybe these two things are a coincidence and I would like to think they are. However, the facts still remain as they are.

As far as my being concerned about what goes on in the House, I think it is none of my business to go over there and tell them how to run their Chamber. I think we would be well advised if we told them the same thing if they tried to do it over here.

We are talking here about a resolution which not only has not come out on the Calendar, but it has not even been considered by a committee. We get our information by hearsay. I know the gentleman from Delaware is a very fine lawyer in the community from which he comes. I also know that he knows better than that. As a lawyer, I know he knows that you cannot take what people say by hearsay or what comes to you by third or fourth hand, unless these people actually brought it to your attention themselves. I think the gentleman's remarks are certainly not only not in good taste, but I think they are ill-chosen at this time. I think we have to let the situation develop and see what happens before anything takes place.

I do not think it is anything unusual for a man in the House, who comes from that same era and happens to be of the same political persuasion, to try to get someone confirmed in his county. I have had Republicans come to me from the House and ask me—and I am sure they spoke to the Chairman of the Executive Nominations Committee, Senator Devlin—to get somebody confirmed, in cases where there have been boards that have both Republicans and Democrats on them and which are still based on the fact that they are nonpartisan boards. We have repeatedly gone to the Chairman of your Caucus and asked him to take this man's name up at the next meeting. Generally, these people have been approved.

We are not asking you to put somebody on this board who is bad or evil. However, you will find that of all these people whom you have mentioned, none of them

has a criminal record and none of them has been involved in any kind of a serious altercation with anyone. The only crime they have committed, in Delaware County, is that they are Democrats. I am sure that slowly but surely this is going to change, as it has changed in other places. I think all of us must move with the times.

When I first came to the Senate, the names which came up were Republican names. I endorsed them, as a Philadelphia Senator, because this is what they were entitled to. We had a Republican Governor and the Senate was Republican. They sent Republican names from the Philadelphia City Committee and we approved them. We are not asking you to do any differently. If these people are evil or bad, or the kind of people whom we should not have, I would be very happy to hear about it. I may not want to vote for them myself. However, until that information comes to us, I think this certainly is not the time nor the place to take this up. I think the gentleman is casting aspersions on the good names of these people. I think you are blighting their escutcheon for no reason at all. None of these people whom the gentleman has mentioned are bad people, other than they are active in the Executive Committee of the Democratic Party. To me, that is no standard for being bad. If you want to go by that standard, I think we would have some difficulty with many names that come over here.

Mr. BELL. Mr. President, I know that the gentleman from Philadelphia, Senator Weiner, being a very careful and fair man, will read my remarks, since he apparently did not listen to them.

I am not complaining about the people who are being submitted for appointment. I am complaining about a veiled threat to blackmail me, which occurred in this State Capitol yesterday. Frankly, gentlemen, I do not scare easily.

As far as Delaware County being picked out by the gentleman as the county where nobody has been confirmed is concerned, I think if you will analyze the record, you will find that about fifty per cent of those whose names have been submitted from Delaware County have been confirmed and, Senator Weiner, they were all good Democrats.

I am going to say, in a very few words, what I said previously. I am studying the qualifications of everybody who comes before this Body from Delaware County, as to their qualifications for office. I do not care whether they are Democrats or Republicans. I am going to continue to study them and no one over in the House of Representatives of Pennsylvania is going to try to bulldoze me into something.

Mr. WEINER. Mr. President, I would like to close this discussion by saying that the gentleman about whom we are speaking, for appointment on the Pennsylvania Securities Commission, will terminate his term with that of the Governor's. The Governor's term will expire in less than eighteen months. This same gentleman is a capable person. He is the Democratic County Chairman and happens to be a rather good and decent person who would do a good job for the seventeen or eighteen months.

I do not want anyone to interfere with the prerogative of any Senator to either confirm or deny confirmation of anyone. I think it is in bad taste to do that. We have stated that repeatedly. I do not think we have ever ignored this courtesy which we have extended to the

Members in this Chamber at any time. I say that if anybody did threaten the gentleman or did make those remarks, unless he heard them himself. I think he is not being fair to the people involved. If he did hear them himself, I think those people show bad taste and I certainly will advise the gentleman that this Chamber will certainly ignore those people and they will have no weight with us whatsoever.

Mr. LANE. Mr. President, I concur in the remarks made by Senator Weiner. I feel the House should keep their own house in order and we will take care of our problems over here. I would be the first to defend any Member of the Senate who is threatened by anyone.

However, with reference to the gentleman's remarks concerning politics in mental hospitals, I would like to chronologically, if I may, take the time of the Senate for just a few moments to let the gentleman from Delaware know that, in my opinion, the reason Governor Leader was successful in his campaign for Governor was due to the terrible conditions of our State institutions.

As a matter of fact, Mr. President, quite a number of years ago, I served as a minority member of a committee which was headed by one of Delaware County's most distinguished citizens. I am speaking now about Senator Weldon Heyburn. At that time, we viewed the mental hospitals throughout the Commonwealth of Pennsylvania, and a number of us wanted to resign our posts because of the conditions which we found.

I might say, too, Mr. President, that under the Administration of Governor Duff, a mental program was set up. However, Senator Duff did not have the support or the wherewithal to do the job. Governor Leader, with the support of Harry Shapiro, are the persons in Pennsylvania who are responsible for our great mental health program. I distinctly recall that Mr. Shapiro was very strict when it came to political appointments. With that, Mr. President, I do not agree. I feel that any person has the right to a position, regardless of his political faith. If it is a Democratic Administration and that man is qualified, he should have the right to that position as long as he performs the duties of his office in a proper manner.

I might also say, Mr. President, that we Members of the Senate who have served here a long time, on the Democratic side, generally took this position: Where the Administration recommended persons for appointments and we found nothing wrong, we approved the appointments because we felt it was the responsibility of the Chief Executive in making those appointments. To the best of my knowledge and belief, there was only one time on the floor of this Senate when we had any great difference over the confirmation of any person. That happened to be one time when we had a candidate for the position of Attorney General. This appointment was opposed by the Democrats for quite some period of time. I repeat that I feel it is proper and it is the responsibility of the Chief Executive in power. If he wishes to make those appointments and we find that they are nice and honorable persons, I feel we should give him our support. Should the next Administration be a Republican Administration and we are the Minority Party,—of course, I hope that does not happen— I might say, Mr. President, that I will remain the same. The Chief Executive is elected by all the people. Who are we—one individual—to hold up his will? As long as the person is qualified or the person has a good

reputation, I cannot see the reason for not confirming him. I do not think we can make political hay by withholding confirmations. I know I voted to confirm many Republicans. As the years go by, I hope to be in the position, in succeeding Sessions, to vote for qualified people or persons who are recommended by high authority.

I wish to say to Senator Bell that I believe he is making a terrible mistake, politically.

PETITIONS AND REMONSTRANCES

Mr. HALUSKA. Mr. President, I would like to make a brief announcement regarding the Public Hearings which are being held on House bill No. 1221 and House bill No. 1438.

When these bills were referred to my Committee on Local Government, I took the position then that the bills were entitled to Public Hearings. Unfortunately, at that time, the newspapers felt I was using delaying tactics and that I was not sincere. Then they attacked me personally.

Only a few hours ago, I received the sad news that my mother-in-law just died and I should have been at home. However, I continued with the hearing. I will not go so far as to say that the criticism toward me contributed to her death, but it certainly did not help any. She was a grand lady, and she was very much upset over the personal criticism which the newspapers, radio and television directed against me.

I tried today at noon to conclude the hearings because I believe this has been one of the longest hearings we have ever had. Despite an agreement that any further information may be submitted, some of the Members of my Committee—and rightfully so—asked that I continue the hearings at least one more day. Despite my personal feelings, I bowed to the reasoning of the Members of my Committee, and we are very hopeful that on Monday we shall conclude these hearings.

I want to also state that while I have been very critical of the press, for the last several days the press has reported the news as it happened. In my early days, I was taught that newspapers should be news carriers rather than news makers. Not all of the papers have been real favorable. However, in the last several days,—I say again—they have reported the news as it appeared.

This is a great issue, Mr. President. However, it is not for me to resolve, but for my committee and this entire Body to resolve. After studying the transcript, we shall come to a unanimous conclusion.

I am also happy to announce that last Wednesday, Mike Levine, one of KDKA's outstanding reporters, came to Harrisburg and said: "Senator, I want a recording from you, unprepared, during which I will ask you a number of questions. It will take you from the cradle practically to the grave. Whatever you may say, we will put over KDKA and other stations. I warn you now that you are putting yourself on record."

I ran it on tape, in my office for a one-half hour period, I answered some forty or fifty questions, and the tape is now being played throughout the entire western part of Pennsylvania. We made up twenty-five tapes, and I am very proud that I was able to answer Mr. Levine. I want to state that he was a perfect gentleman in the way he asked the questions. They were not really personal.

I am also proud that after the playing of that record last Wednesday, on Friday morning, members of KDKA

Radio and TV came to my office and said: "Senator, after we played that record, our station was swamped with requests for your personal appearance. The entire picture is now changing, and people want to hear your personal side of the story."

I agreed and they agreed to cancel out a national broadcast this Friday night to give me one-half hour at their expense to present my story, and mostly to answer the personal attacks made upon my life.

I will perform my duty, Mr. President. I have a sworn duty to perform my duty honestly and sincerely. That I believe I have done. I do not feel I was entitled to be abused, as I have been personally by the press. However, I am happy that Now I shall have the opportunity on Friday night, but because of a double-header being played between Pittsburgh and Milwaukee, the station has agreed to tape my appearance on TV, and replay it on Saturday night so that those who cannot pick up the TV station will have the opportunity to hear me on Saturday night.

I received the following telegram today from KDKA stating:

"This is to confirm time of your television program on Channel 2 at 9:30-10 p.m. Friday, July 21. Program will be rebroadcast over KDKA-Radio at 7:20-8 p.m., Saturday, July 22. Regards.
"Ed Beachler, KDKA-TV and Radio."

Mr. President, I want to state now that anyone who has further evidence for or against these bills will be given an opportunity for the final time on Monday morning, from 10:00 a.m. to 1:00 p.m., to be heard. At that time, I will have to conclude the hearings, because if I were to hear all of the requests that I have in my briefcase now, I would be here until Christmas. It must come to an end. Unless my committee insists otherwise, next Monday will be the last day for these hearings.

The PRESIDING OFFICER (Paul W. Mahady) in the Chair.

The PRESIDING OFFICER. The Chair wishes to state that he is presiding at the present time due to Senator Ripp being called from the Senate Chamber.

Mr. LANE. Mr. President, I wish to offer my condolence to Senator Haluska for the loss of his mother-in-law. I lost my mother about two months ago, and it was rather a tough experience.

However, since the gentleman has brought up the problem of strip mining, I would like the privilege of interrogating Senator Haluska quite briefly.

The PRESIDING OFFICER. Will the gentleman from Cambria, Mr. Haluska, permit himself to be interrogated?

Mr. HALUSKA. Mr. President, it will be a pleasure.

Mr. LANE. Senator Haluska, now that you are going to conclude your hearings,—or you plan on concluding them on Monday—are you going to give the Members of the Committee on Local Government an opportunity to vote on this legislation as to whether it should be reported or not reported to the floor? The reason I make that interrogation is because I would like the record clear as to your position on this particular matter.

As the Chairman of the Committee, you have vast power. However, I do feel, Senator Haluska, that since this legislation has received so much publicity and since it is of paramount importance,—and I am speaking for western Pennsylvania—I am wondering if you would

answer that question in a forthright manner to the Members of the Senate.

Mr. HALUSKA. Mr. President, he could be accused of tampering with the jury with that question.

Certainly, I do not think the question is correct or right. He is asking what I am going to do. I shall study the transcript, and then if I decide, in my opinion, that the bills will help Pennsylvania, it is my prerogative to bring them before the committee for their discussion and deliberation. If I find they are injurious, that they will put thousands of people out of employment and that they are improperly written, I shall use my prerogative and withhold these bills from the committee.

You are asking for an honest answer, and you are getting an honest answer.

Then my colleague can proceed—as he has threatened in the papers throughout the entire western part of Pennsylvania, if I should take the latter action—to use his prerogative and offer a resolution to discharge my committee from further consideration of these bills. He stated to the papers that he speaks for the Administration. Certainly, if he does speak for the Administration or for himself, I am awaiting his action. He has the right to ask to discharge my committee, and the entire Membership will be privileged then to fulfill his wishes if they so see fit.

The answer is that what I am going to do, I do not know. However, I tell you honestly that if after further interrogation the testimony bears out the facts as given, and thousands upon thousands of people will be out of employment, I will not under any threats—if I must resign from the Senate, Mr. President—report out these bills.

The Senator has stated to the newspapers: "If they come out weakened, we shall fix them on the floor." That chance you probably will never get.

Mr. LANE. Mr. President, may I further interrogate the gentleman?

The PRESIDING OFFICER. You may proceed.

Mr. LANE. Senator Haluska, do you have any confidence in the Members of your Committee?

Mr. HALUSKA. Mr. President, I have confidence in humanity. However, I have been elected as Chairman of the Committee, and under the Constitution that gives you certain rights and certain prerogatives. If I did not use them, I would be remiss in my duties.

Mr. LANE. Thank you, Senator Haluska.

Mr. President, it appears that the answer is "no". That is the impression I received from my interrogation.

I might say, Mr. President and Members of the Senate, that the Local Government Committee, of which I have been a member for, I would say, maybe fourteen years, has worked on a bipartisan basis on all problems submitted to that committee. As a matter of fact, I have worked with Senator Stevenson, and I have enjoyed the work. He happens to be a Republican and I am a Democrat.

I say to you, Mr. President, that the Local Government Committee is composed of a group of men who are very conscientious and very dedicated to their work. I do believe, should the Chairman permit the bills to be discussed by the Committee, that an intelligent conclusion would be made. I feel this committee is made up of Members, generally speaking, who have a lot of service here in the Senate. We have met many a crisis, and we have resolved

those crises. In view of the fact this legislation is so important, I feel, Mr. President, that the committee should have the opportunity to discuss it in detail.

I might say further, Mr. President, that I did make a statement to the press that if the necessity arises, I would submit a discharge resolution, which I am very reluctant to do. I have sat by and I have listened to the hearings, which have been prolonged for quite some time. I feel the public, as a whole, has a right to know the position of the Members of the Senate on this particular legislation.

It is very important, Mr. President, very important. I think this is one of the most important bills of the Session. I trust and I hope the Chairman of the Committee—who formerly was a good friend of mine and I hope he still is—will acquiesce a bit and let the members of the committee vote either “yes” or “no.” That is the point.

Should the bills be reported to the floor, Mr. President, it is the right of any Member of this Senate to offer amendments. If I were to offer amendments and they were not approved by the Members of the Senate, the amendments would not be adopted, Mr. President. Therefore, they would fall. I feel this is the democratic process. I also feel it is just and proper that the bills should be discussed openly.

Frankly, I do not think there is going to be a partisan approach on these bills, because we have Members on this side who are violently opposed to the bills, I know. We probably have Members on the other side who take the same position.

However, I think the public has a right to know, Mr. President, the position of the Membership of this great Senate with reference to legislation which is so important to the welfare and the well-being of all of the people.

Let us go into the thing in detail right here. Every man here is intelligent and every man knows his business. We can intelligently debate the legislation and arrive at a just conclusion.

Mr. WEINER. Mr. President, I believe we a few moments ago discussed here just certain prerogatives which the Members of this Senate have. I believe we also discussed the fact that when a matter is not before us, then I think this is the wrong time to debate it.

This is an important measure. There have been many important measures in this Legislature. Just yesterday, we got into a very interesting, touchy and controversial matter. I am speaking about the problem of migrant labor. We went all through that during this Session. This matter had been held up during other Sessions and had been killed in committee. However, in this Session it came out on the Calendar and we debated it and it was handled by this Body in a manner which they saw fit. I am sure the proponents are not satisfied because the measure failed. I am sure the opponents of this measure might have even been in favor of some phases of it and thought some were good and some were bad. The same thing is true of all these measures that come before us. They should all be handled in a like manner. To debate them and to bring them to the floor before the committee itself has had an opportunity to do so, I think is not only in bad taste, but I think it is completely beyond the rules of this Senate.

These committees are made up of the very same Members who are sitting here in this Chamber today. When

they want to get a bill out of committee, I have seen some bills come out despite anybody's desires or wishes. If the bill was not going to come out of committee or the committee was not interested in the matter, this was also handled by the committee. If we were in the closing weeks of the Session, or we were quitting tomorrow morning, I would say this was all germane and we could go into it very properly. However, that is not the case. We are coming back here next week, I am sure, to work on some of this legislation. If, at that time, this matter will have become that urgent, then at that time we can address ourselves to it. I think, on this matter and at this point, we are completely out of order. It certainly is not in keeping with the dignity of this Chamber or the dignity of the Standing Committees and the work that this Chamber has done so far. I think it has done exceedingly well and, during this Session, we have accomplished a great deal. I believe we can do even more.

This strife between us here about the committees and about what goes on in them, Senator Lane is a member of that committee, Senator Haluska is a member of that committee and other Members who are sitting on the other side of the aisle are also members of that committee. I am sure they can take whatever appropriate action is deemed at that time or even after that.

This bill, Mr. President, has been up in every Session of the Legislature since I have been here. Everytime it has either been killed in committee or never got out on the floor. If it did get out on the floor, it went back to committee. This is just as controversial this year as it has been in past years. I am sure that we can handle it here, as we have handled every other matter that has come up. All the people who are involved will certainly be heard and will get their views before us. At that time, we will deal with this situation.

Mr. FLEMING. Mr. President, certainly the views expressed by the Majority Leader should be well taken by every Member of the Senate. However, I could not help but listen to the interrogation of Senator Haluska by Senator Lane.

I would merely like to say that if I understood Senator Haluska's answer correctly, I am astounded at his conclusion. Is he saying to the Senate of Pennsylvania that he has scheduled and held Public Hearings on a bill, and permitted the proponents and the opponents to come here at great expense and great inconvenience to themselves in order to express their opinions, both for and against this measure, and yet that he might conceivably not permit the Members of the Local Government Committee, after the hearings are concluded, to vote on whether or not the bill will be released to the Senate floor?

If that is what he is saying to this Membership, then I say he, himself, has contributed and made a mockery of the legislative process. Then, certainly, he should not have held the Public Hearings. I think he should be commended for scheduling and holding the Public Hearings. However, if he is taking the attitude that after the hearings are concluded, he will not give the Members of the Local Government Committee the right to determine whether or not these two bills shall be reported to the floor of the Senate, then he has done something which, in my mind, is completely wrong and he should not take that attitude.

Mr. WEINER. Mr. President, I would like to remind

the gentleman who just spoke of the old Biblical adage: "Judge not, lest ye be judged."

I think the gentleman is coming to a hasty conclusion on something that has not happened. Also, knowing the gentleman as a very able Legislator, I think he understands there are other remedies available to him. I do not believe the gentleman is a Member of the Local Government Committee. However, I believe that many of his colleagues are Members of that Committee and I believe that he sees them on occasion and discusses this matter with them. I think he can also make his views known to them so that they can carry them in to the inside of that committee and get this action.

If the committee does not act—and have been in that position, up until this Session, where committees did not act on legislation which we deemed good or advisable. If, in the minds and the systems of the Majority Party, they did not feel the legislation adequate, we also had our remedies as to that.

To judge the Chairman of the Local Government Committee or to say that he is not going to do something before he has acted, while the hearings are still going on, I think is unfair not only to the committee but to the gentleman himself. I think you should permit the committee to at least finish its hearings.

There are hearings being held right now regarding another bill by one of the other committees. I have heard no great outcry about that matter. This legislation is in the same category as that. Every piece of legislation is important or it never would have been introduced, I am certain. I think we should let this matter rest here so that we can properly proceed without influencing anybody or jumping to any conclusions.

At such time when the bill does not come out of committee or until such time when there is no action taken, I think we here, as a Body, can then move whatever we deem appropriate at that time.

Mr. FLEMING. Mr. President, I think I prefaced my remarks by saying that if I understood the interrogation correctly, then the course the Chairman might take would be wrong.

In all the years since I have been in the General Assembly of Pennsylvania, I know of no instance where there were Public Hearings held on a measure by any committee, at the conclusion of which the Members of the Committee were not given an opportunity to determine whether or not the particular measure would be released to the floor of either the House or the Senate for action.

I again must repeat that I think it is highly undesirable that any Chairman of a Committee would hold Public Hearings and then not permit the Members of the Committee to vote either for or against. I am not criticizing the Chairman of the Local Government Committee for not reporting the bill to the floor.

I might say, parenthetically, there is no more enthusiastic backer of the strip mining regulation bills than I am. I have no criticism to offer of him for being against them. I have no criticism at all of that. However, I do say that the day when he agreed to hold Public Hearings on them, then certainly, tacitly, he should have agreed in his own mind that at the conclusion of these public hearings, the Members of the Local Government Committee would be given the opportunity to determine

for themselves whether or not the two bills in question would be released to the floor of the Senate for action.

Mr. WEINER. Mr. President, I would just like to point out to the gentleman that I did not want to get into this. I would like to let this matter rest, if we can possibly do so at this point, without going into any further detail.

These bills have come over here every Session. During the past Sessions, the Majority Party was not on this side of the aisle. These bills never saw the light of day. At that time, I am sure the Majority Party had the ear of the people who were in charge of this legislation and the gentleman could have taken whatever appropriate action he deemed advisable at that time. I am sure that if he did not do so, there must have been a good and compelling reason for him not doing so. I think we should give the people who are handling it during this Session the very same opportunity, at which time he will have the same remedy as we did the last time.

Mr. LANE. Mr. President, just to keep the record straight, a statement was made here that the bills which were sponsored on strip mining were generally killed in committee. Let me say to the Members of the Senate that the fellows who are here today debated the Act of 1945. At that time, during my tenure of office, we passed strip mining legislation. Quite a number of the Members of the Senate, including Senator Haluska, will recall that we debated the legislation in detail. We then enacted into law the Act of 1945, which is now on our statute books.

I believe that the Members of the Senate and the people of Pennsylvania want us to stand up and be counted. I believe we should vote on this legislation as our conscience instructs us to do. I must repeat that I feel the bills are of such importance that the Local Government Committee should have the right to examine the bills in detail and then report them to the floor for an open vote.

Mr. HALUSKA. Mr. President, I will say no more about these bills. My colleagues have a right to feel as they wish. You have heard my statement and I do not wish to repeat anything. That is it.

I am interested in important bills. My colleagues from Washington County and Allegheny County have their hearts bleeding for a bill which, as has been pointed out clearly, has been introduced, in and out, for many years.

For the last twenty-three years, I have introduced a piece of legislation which I think is the most important that ever came within these halls. One time, it came to a vote and lost by two votes. That same bill was introduced this Session. The Chairman did not see fit to bring it out and I had no criticism of him. That is his prerogative.

I am speaking about the poor people of Pennsylvania who live in every Senatorial District and who must apply for relief—through no fault of their own when they do—because they were conservative. They have a little property and that first assignment is their signatures, taking away their properties which they had hoped some day to leave to their children. In addition thereto, they were young one day and they looked forward to the future. They took out insurance policies so that in case the husband died when he was young, the widow and kiddies would be kept off of the relief rolls. Yet today, under our official statute, you, Mr. President, may have carried a policy for twenty-five or forty years and paid for it.

However, you must live. So, through no fault of your own, when you are old and gray and cannot buy a job, you steal or go on relief.

Our statute—and most of these men supported it, but I did not—states that if you carry an insurance policy throughout these many years, you must waive all of it. You must cancel it down to \$500. This amount of money would not provide even a decent burial. This man thought that if he died, his family would be kept off the relief rolls.

I say to you, Mr. President, and to my colleagues this is the most important bill that ever came before this Body. It affects the poor people of Pennsylvania.

In my county of Cambria, there was a steel strike which lasted 116 days. Thousands of the workers finally had to apply for relief. All of them had to cancel their insurance policies and sell their homes, in order to receive that meager subsistence. Are the newspapers crying about that? Is Washington County crying about that? Is Allegheny County crying about these poor unfortunates? Let them rise and be counted. Let them tell the people that they are for the small man who cannot get a job and who is crippled, old and sick. He must sign away all his earthly belongings because today he cannot get a job.

I am interested in that bill. If that bill comes out of committee and passes, I will report all the bills out of my committee. I will give you my coat, my diamonds and my jewelry which they speak about. I will give them to charity on the passage of a bill which will help

the poor unfortunates, for whom no one seems to care and who cannot lobby for themselves. That is my interest. However, no one is very much concerned about these poor people.

HOUSE MESSAGE

HOUSE CONCURS IN RESOLUTION RECALLING SENATE BILL FROM THE GOVERNOR

The Clerk of the House of Representatives being introduced, informed the Senate that the House has concurred in resolution from the Senate, recalling SB 114, from the Governor for the purpose of amendment.

ANNOUNCEMENTS BY THE SECRETARY

The following announcements were read by the Secretary of the Senate:

MONDAY, JULY 24, 1961

Democratic Caucus1:00 P.M., D.S.T.
Republican Caucus1:00 P.M., D.S.T.

ADJOURNMENT

Mr. LANE. Mr. president, I move that the Senate do now adjourn until Monday, July 24, 1961, at 2:30 p. m., Eastern Standard Time.

Mr. HAWBAKER. Mr. President, I second the motion. The motion was agreed to.

The Senate adjourned at 2:23 p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

WEDNESDAY, July 19, 1961

The House met at 9 a. m., e. s. t.

The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

We thank Thee, Almighty God, for this great land of America and for the many blessings we enjoy as a part of it. We pray that the prestige which we share may never cause us to be too proud that we lose sight of the great leadership opportunities which confront us. But, O Father, in deepest humility we ask Thy continuing blessing upon our Nation and the great conquests undertaken in Thy name; especially, be with the leadership of this Commonwealth and guide, protect, and prosper them in all their labors: through Jesus Christ, Thy dear Son, our Lord. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Tuesday, July 18, 1961, will be postponed until printed.

The Chair hears none.

The SPEAKER. The Chair requests the gentleman from Beaver, Mr. Hamilton, to preside temporarily.

Mr. HAMILTON IN THE CHAIR

SENATE MESSAGE

AMENDED SENATE BILLS CONCURRED IN BY
SENATE

The clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bills numbered and entitled as follows:

SENATE BILL No. 455.

An Act amending the act of May 5, 1933 (P. L. 457), entitled "Building and Loan Code" changing provisions governing the change of the place of business of a branch and changing provisions for the period of public notice for the discontinuance of a branch.

SENATE BILL No. 526.

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code" defining the crimes of fraudulent use of credit cards and fraudulent obtaining of telecommunications service and prescribing penalties.

SENATE MESSAGE

HOUSE BILL CONCURRED IN BY SENATE

The clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1540.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire easements rights-of-way and other interests in real estate including the title in fee simple to fifteen parcels of land

with improvements erected thereon and rights connected thereto for the maintenance of radio communications systems.

With the information that the Senate has passed the same without amendment.

SENATE MESSAGE

The clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Amended House Bills returned for concurrence Nos. 1083, 1178 and 1668.

REPORTS FROM COMMITTEE

Mr. KRAMER from the Committee on State Government, reported as committed, House bill No. 1355, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), regulating contracts for repairs to automobiles.

Mr. PURSLEY from the Committee on Counties, reported as committed, House bill No. 1771, entitled:

An Act amending "The Fourth to Eighth Class County Assessment Law," approved May 21, 1943 (P. L. 571), authorizing taxation of land owned by school districts for certain purposes.

Mr. PARLANTE from the Committee on Cities—Counties First Class, reported as committed, House bill No. 1828, entitled:

An Act amending the "1937 Magistrates' Court Act," approved June 15, 1937 (P. L. 1743), providing for election of the chief magistrate by the board of magistrates.

Mr. PARLANTE from the Committee on Cities—Counties First Class, reported as committed, House bill No. 1829, entitled:

An Act amending the "Parking Authority Law," approved June 5, 1947 (P. L. 458), authorizing the extension of the term of existence of an Authority by resolution or ordinance of the municipality.

Mr. PARLANTE from the Committee on Cities—Counties First Class, reported as committed, House bill No. 1830, entitled:

An Act amending the "Parking Authority Law," approved June 5, 1947 (P. L. 458), authorizing the sale or leasing of the space above any parking facility for commercial purposes other than the sale of gasoline or automobile accessories.

Mrs. PASHLEY from the Committee on State Government, reported as committed, Senate bill No. 8, entitled:

An Act selecting designating and adopting the Great Dane as the official dog of the Commonwealth of Pennsylvania.

Mrs. S. A. ANDERSON from the Committee on State Government, reported as committed, Senate bill No. 587, entitled:

An Act amending the act of May 10, 1939 (P. L. 111), entitled "Commerce Law" empowering the Department of Commerce to make loans.

Mr. PRICE from the Committee on State Government, reported as committed, Senate bill No. 605, entitled:

An Act amending the act of January 29, 1844 (P. L. 25), entitled "An act supplementary to an act to incorporate the

president and directors of the water pipes in Aaronsburg" permitting additional persons to vote for the directors further providing who shall be taxed increasing one tax providing for flat rates and tap on charges and repealing inconsistent legislation.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1355, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), regulating contracts for repairs to automobiles.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1771, entitled:

An Act amending "The Fourth to Eighth Class County Assessment Law," approved May 21, 1943 (P. L. 571), authorizing taxation of land owned by school districts for certain purposes.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1828, entitled:

An Act amending the "1937 Magistrates' Court Act," approved June 15, 1937 (P. L. 1743), providing for election of the chief magistrate by the board of magistrates.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1829, entitled:

An Act amending the "Parking Authority Law," approved June 5, 1947 (P. L. 458), authorizing the extension of the term of existence of an Authority by resolution or ordinance of the municipality.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1830, entitled:

An Act amending the "Parking Authority Law," approved June 5, 1947 (P. L. 458), authorizing the sale or leasing of the space above any parking facility for commercial purposes other than the sale of gasoline or automobile accessories.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 8, entitled:

An Act selecting designating and adopting the Great Dane as the official dog of the Commonwealth of Pennsylvania.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 587, entitled:

An Act amending the act of May 10, 1939 (P. L. 111), entitled "Commerce Law" empowering the Department of Commerce to make loans.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 605, entitled:

An Act amending the act of January 29, 1844 (P. L. 25), entitled "An act supplementary to an act to incorporate the president and directors of the water pipes in Aaronsburg" permitting additional persons to vote for the directors further providing who shall be taxed increasing one tax providing for flat rates and tap on charges and repealing inconsistent legislation.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 318, entitled:

An Act amending the "Third Class County Board Assessment Law" approved June 26, 1931 (P. L. 1379), imposing certain minimum limitations on making assessments.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

PARLIAMENTARY INQUIRY

The SPEAKER pro tempore. For what purpose does the gentleman from Westmoreland rise?

Mr. JIM. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. JIM. Mr. Speaker, I would like to know if Senate bill No. 8 was reported out of committee?

The SPEAKER pro tempore. The Chair will inquire of the chief clerk.

The bill was reported from committee this morning.

Mr. JIM. It was reported out of committee?

The SPEAKER pro tempore. Yes.

Mr. JIM. Mr. Speaker, my second question is, and I wish the majority leader would pay attention to what I am going to say. It is a parliamentary question. I have the Pennsylvania Manual here for 1959-1960, and I turn to page 27, the Constitution of the Commonwealth of Pennsylvania; then I turn to page 29, Article III, which is entitled, "Three Readings; Amendments; Final Vote," and which requires that every bill shall be read at length three times. I ask that the bills be read at length starting right now, according to the constitution.

The SPEAKER pro tempore. The remarks of the gentleman will be spread upon the record.

Mr. JIM. I ask that we comply with that procedure, Mr. Speaker, and that the bills be read at length.

The SPEAKER pro tempore. The journal will show that the bills are read at length.

Mr. JIM. They will be read at length?

The SPEAKER (Hiram G. Andrews) IN THE CHAIR

The SPEAKER. The journal shows that the bills are

read at length. Senate bill No. 8 has already been read at length.

The Chair requests the gentleman from Beaver to preside temporarily, and the Chair will proceed with the calendar.

Mr. HAMILTON IN THE CHAIR

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 407, entitled:

An Act amending "The Fourth to Eighth Class County Assessment Law" approved May 21, 1943 (P. L. 571), imposing certain temporary restrictions on the taxing authorities of political subdivisions affected by the provisions of said act.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1707, entitled:

An Act establishing and taking over as State highways certain county highways * * tunnels bridges * * and certain streets and bridges in cities of the first class and in cities of the second class * * and certain township roads and certain streets in boroughs and incorporated towns * * and deleting certain State highways.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 292, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), requiring that rubbish be covered when transported and fixing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1177, entitled:

An Act making an appropriation to the Department of Public Welfare for certain training courses at John J. Kane Hospital and other institutions.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1339, entitled:

An Act amending the act of July 11, 1917 (P. L. 758), entitled "An act for the protection of public health by regulating the possession control dealing in giving away delivery * * * and use of certain drugs and keeping records thereof * * *" changing penalties for illegal sale dispensing or giving away of drugs.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1340, entitled:

An Act amending the act of July 11, 1917 (P. L. 758), entitled "An act for the protection of the public health by regulating the possession control dealing in giving away delivery dispensing administering prescribing and use of certain drugs * * * and by providing for the enforcement of this act and penalties" giving trials for violation of the act precedence over all other criminal trials and regulating postponements.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1625, entitled:

An Act to provide for an additional law judge of the court of common pleas in the fiftieth judicial district and making an appropriation.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. McCANN asked and obtained permission for the Committee on Rules to meet during the session of the House.

REQUEST WITHDRAWN

The SPEAKER pro tempore. The Chair recognizes the gentleman from Westmoreland, Mr. Jim.

Mr. JIM. Mr. Speaker, I withdraw my request to read the bills at length.

The SPEAKER pro tempore. The Chair thanks the gentleman.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1768, entitled:

An Act amending the act of January 5, 1952 (P. L. 1833), entitled as amended "An act to provide for the coverage of certain officers and employees of the Commonwealth and its political subdivisions under the old-age and survivor insurance provisions of Title 11 of the Federal Social Security Act as amended * * *" removing the limitation on retirement benefits.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1814, entitled:

An Act imposing a tax for general public school purposes in school districts of the first class A on salaries

wages commissions and other compensation earned by residents thereof and on the net profits earned from businesses professions or other activities conducted by residents thereof * * *.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 20, entitled:

An Act establishing a separate orphans' court in and for the County of Bucks.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMENDED

Mr. McCANN. Mr. Speaker, I move that this bill be recommended to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 52, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania repealing section sixteen thereof which authorized the borrowing funds for the acquisition of toll bridges.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 106, entitled:

An Act amending the act of August 5, 1941 (P. L. 803), entitled as amended "An act providing for the creation maintenance and operation of a county employees' retirement system in counties of the fifth sixth seventh and eighth class . . ." requiring the creation of a county retirement system in counties of the fifth and sixth class.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 342, entitled:

An Act providing for the certification by the Secretary of Health of operators in responsible charge of water supply systems and water treatment plants specifying the classifications of water supply systems and water treatment plants and the grades of certificates for operators thereof requiring that only certified operators may operate certain plants and systems providing for revocation and suspension of certificates and providing for penalties and civil relief.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 343, entitled:

An Act amending the act of September 26, 1951 (P. L.

1539), entitled "The Analytical-Biochemical-Biological Laboratory Act" removing certain exemptions and providing for rules and regulations.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 344, entitled:

An Act providing for the certification by the Sanitary Water Board of operators in responsible charge of sewage treatment plants specifying the classifications of sewage treatment plants and the grades of certificates for operators thereof requiring that only certified operators may operate certain plants providing for revocation and suspension of certificates and providing for penalties and civil relief.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 345, entitled:

An Act regulating sewage disposal systems in the interest of preserving the health of the people of the Commonwealth requiring permits to be issued to persons installing sewage disposal systems imposing certain duties on the Department of Health and on municipalities and providing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 496, entitled:

An Act amending the act of May 5, 1927 (P. L. 787), entitled "An act establishing certain public roads as State highways . . ." changing a route and adding a new route in Delaware County.

And said bill having been read at length second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 748, entitled:

An Act amending the act of July 15, 1957 (P. L. 901), entitled "Optional Third Class City Charter Law" making annual post audits optional.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading. .

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 788, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929" authorizing the Department of Health to institute a blood plasma protein recovery program.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. McCANN. Mr. Speaker, we are going to have one roll call before we go to caucus. On page 21 we are going to call up a bill on concurrence in Senate amendments and explain why we must concur in this bill right at this very minute.

The SPEAKER pro tempore. The majority leader has the floor. The gentleman will proceed.

Mr. McCANN. Bills on Concurrence in Senate amendments on page 21, House bill 53, printer's No. 2518. This bill was amended in the Senate changing it by striking out "30" and inserting "60" days. Under Article XVIII of the constitution, I learned in the conference we had here last night among members of the House and the Senate and the Secretary of the Commonwealth, today is the last day for the advertisement which must be provided for in the newspapers in this Commonwealth when a constitutional change is being proposed in its first round. I believe, if I remember correctly from the conference, that it is three months prior to the election for the official notification of advertisement, and that date is today.

Therefore, without going to caucus, we are asking that on House bill 53, which has been correctly amended to comply with the other sections of the law, we concur in the amendments placed in House bill 53 by the Senate, and that it be voted favorably here immediately for the necessary signatures of the Senate and the House so it can be presented to the Secretary of the Commonwealth and the advertisement can go to press today.

Therefore, with that explanation, I will ask the membership to vote "aye" on the amendments placed in the bill by the Senate.

The SPEAKER pro tempore. The Chair recognizes the minority whip.

Mr. TOMPKINS. Mr. Speaker, this bill provides changes to the constitution which presently provides that a person moving from out of the State of Pennsylvania into the State of Pennsylvania must reside here for a year before they can acquire franchise privileges. This bill reduces that period from one year to 90 days. The bill, as it went through the House, provided that you could move from one election district to another within 30 days and still have your vote. That 30-day provision is in conflict with other provisions of the constitution which require 60 days and other provisions of the election code which provide 60 days. So the amendments have been made from 30 to 60 days to make it conform with the election code, but the real meat of the amendment is that the time required for a non-resident to acquire voting privileges is reduced from a year to 90 days. We voted on this before. We think the amendments are all right. We ask that our members vote for concurrence in this bill.

Mr. LIPPINCOTT. Mr. Speaker, is this bill in print and on our desks?

The SPEAKER pro tempore. Yes, the bill is in print and on the desks.

Mr. LIPPINCOTT. What is the printer's number?

The SPEAKER pro tempore. The printer's number is 2518.

Mr. LIPPINCOTT. The bill on our desks is printer's number 1017 for House bill 53.

The SPEAKER pro tempore. The Chair thanks the gentleman. We cannot proceed until the bill is on the

members' desks. The chief clerk will get the proper copies on the members' desks. The Chair will suspend until the bills are on the members' desks.

LEAVES OF ABSENCE

By unanimous consent leaves of absence were granted as follows:

Mr. Dougherty for Mr. BOIES for today's session.

Mr. Tompkins for Mr. DENGLER for today's session.

Mr. Tompkins for Mr. OGILVIE for today's session.

REPORT OF COMMITTEE

Mr. PERRY from the Committee on State Government, reported as committed, House Bill No. 1809, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), creating a Bureau of Economic Promotion in the Department of Commerce, and defining its powers and duties; providing for the testing, endorsement and advertising of products by such bureau.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1809, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), creating a Bureau of Economic Promotion in the Department of Commerce, and defining its powers and duties; providing for the testing, endorsement and advertising of products by such bureau.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 672.

An Act amending the act of June 24, 1937 (P. L. 2045), entitled as amended "The Support Law" prescribing liabilities for assistance with respect to medical assistance for the aged.

Referred to the Committee on Welfare.

SENATE BILL No. 695.

An Act amending the act of March 19, 1949 (P. L. 30), entitled "Public School Code of 1949" further providing for the election of district superintendents and assistant superintendents in districts of the third class.

Referred to the Committee on Education.

SENATE BILL No. 830.

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" providing for laboratory schools of State-owned colleges and providing for payments in connection therewith.

Referred to the Committee on Education.

Mr. McCANN. Mr. Speaker, I have been advised by the minority whip, Mr. Tompkins, that House bill 53 will have to go before their caucus and we will act on it as soon as we return. I assume that it will have to wait until that time. There is no other action that can be taken.

The SPEAKER pro tempore. And what is the pleasure of the majority leader at this time?

Mr. McCANN. Mr. Speaker, I would like to call Senate bill 405 on page 8, which has been agreed to for the purpose of amendment.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of Senate bill No. 405, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" further regulating suspensions of operator's licenses or learners' permits for violation of maximum speed limits.

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. SHERMAN. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. SHERMAN asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Sec. 1 (Sec. 618), page 3, line 3, by inserting after "IS" at least fifty-six (56) miles per hour and is also

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 943.

An Act amending the act of April 17, 1929 (P. L. 527), entitled "An act providing for the recovery and collection of municipal claims by action of assumpsit * * *" by extending the time within which actions of assumpsit may be brought to six years.

HOUSE BILL No. 1494.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey .0806 acres of land more or less situate in the city of Bethlehem Northampton County.

HOUSE BILL No. 1495.

An Act authorizing the Department of Property and

Supplies with the approval of the Governor to sell and convey .096 acres of land more or less situate in the city of Bethlehem, Northampton County.

HOUSE BILL No. 1540.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire easements rights-of-way and other interest in real estate including the title in fee simple to fifteen parcels of land with improvements erected thereon and rights connected thereto for the maintenance of radio communications systems.

HOUSE BILL No. 1644.

An Act authorizing any person diving in any waterway with the aid of a mechanical device to place a buoy at or near the place of submergence.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

ANNOUNCEMENTS

Mr. McCANN. Mr. Speaker, I am going to outline the schedule for today. We will immediately proceed to caucus. We will caucus first and then there will be a break for lunch. When I make the motion, I am going to ask for a two-hour recess, counting lunch. On our return we will vote on the balance of the Senate bills and the concurrences that may be able to be agreed to. Therefore, if we leave here now, 11:15 daylight saving time, we will return at 1:15 or roughly no later than 1:30 for the first roll call, and the Democratic members will be requested that immediately upon the motion for a recess to bring their calendars with them and come to the new House caucus room. Arrangements will be made for lunch at the end of caucus, not at the start of caucus.

Then, Mr. Speaker, in the caucuses we will discuss also the report which the Select Committee on Education will give us. In addition to that, I have been informed that there is a problem in housing one week here in Harrisburg. The Pennsylvania Police Chiefs Association will be in convention the week after next. Even though we have planned probably on a three-day session next week, we will very likely change that to four because I do not know how we can hold the session on Monday, July 31, because the police chiefs will be here at the hotel Sunday, Monday and Tuesday. Hotel rooms will be available as of Wednesday of that week. I hope we can work something out covering that week's schedule, but in our caucus we will discuss four days next week, so we may complete this education legislation in an effort to introduce it if the committee may so desire.

REPUBLICAN CAUCUS

Mr. A. W. JOHNSON. Mr. Speaker, we too would like to caucus at the same time that the majority party will caucus, and bring your calendars.

I might say with respect to next week, many members on this side of the House have been down to the desk here and we have informed them of the prospective four days next week. They are inclined to feel, many of them, that the fourth day might not be necessary because, if we can agree on reapportionment, we can pass the appropriation bills and clean the calendar off in pretty short time and there will be no necessity for being here

on Thursday even though we might be out the following week. So with that admonition we will go on from here.

Mr. McCANN. Mr. Speaker, I realize the members' particular problems, and we have them just as well over here, but if the following week it will not be possible to hold a session in the first part of the week, I know how difficult it is to hold a session in the latter part of the week. So if they would be off the one week, and I could not even say that they would be off, we certainly would like you to consider four days next week, and I hope that they can adjust accordingly. They would be off definitely Friday, Saturday, Sunday, Monday and Tuesday after that week, because, I believe I have been informed correctly that the hotels, with this convention, will have a great number of their rooms taken up by this convention, which has been booked for some time, I assume.

Mr. A. W. JOHNSON. Well, Mr. Speaker, if all we have left on Thursday is to vote on the Great Dane Dog bill, I can see no reason for being here on Thursday.

Mr. McCANN. It would be wonderful to pull up a Johnson bill for a Thursday vote, would it not?

RECESS

The SPEAKER pro tempore. Without objection, the Chair will declare a recess of two hours.

The Chair hears none, and a recess is declared.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR

Mr. McCANN. Mr. Speaker, I ask that we turn to page 21, bills on concurrence in Senate amendments. I call up House bill No. 53.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 53.

A Joint Resolution Proposing an amendment to article eight section one of the Constitution of the Commonwealth of Pennsylvania changing residence requirements.

With the information that the Senate had passed the same with amendments in which the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The clerk will read the amendments.

The clerk read the amendments as follows:

Amend Section 1, page 2, line 10, by striking out after the word "preceding" the word "the" and inserting in lieu thereof the word "an" and by inserting after the word "election" the following: for presidential and vice-presidential electors and six (6) months immediately preceding all other elections.

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

The SPEAKER. The Chair recognizes the gentleman from Cameron, Mr. Tompkins.

Mr. TOMPKINS. Mr. Speaker, this is the bill we have up on the floor this morning before we had the corrected printer's number. Our caucus took action to vote "no" on concurrence on this bill.

Therefore, I ask the members on our side of the House to vote "no" on concurrence.

The SPEAKER. The Chair recognizes the majority leader.

Mr. McCANN. Mr. Speaker, I ask that the membership vote "aye" on the amendments placed in House bill 53. These amendments were inserted by the Senate and the presidential and vice-presidential amendments were inserted by the Republican members of the Senate and accepted. I ask that you vote "aye."

The SPEAKER. The Chair recognizes the gentleman from Erie, Mr. O'Dell.

Mr. O'DELL. Mr. Speaker, there was some discussion in our caucus, but since coming down to the floor I have spoken with Mr. Polaski from Erie. I would ask Mr. Polaski to take the floor and explain the amendments. I think he can clear up any misunderstanding.

The SPEAKER. The Chair recognizes the gentleman from Erie, Mr. Polaski.

Mr. POLASKI. Mr. Speaker, the gentleman came to me and inquired as to one of the amendments in the bill. His concern was that, according to the bill, if a person was in this State 90 days, coming from another State, he could not vote for any other candidates except the presidential and vice-presidential candidates. My answer to him was that the amendments are very clear. It speaks about before a presidential election or vice-presidential election and, therefore, the amendments mean that a person would be qualified after 90 days to vote for any candidate on the ballot in a presidential or vice-presidential election year. He would not be barred from voting for all of the candidates. That was my understanding of the amendments.

On the question recurring,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—103

Anderson, S. A.,	Gallagher,	McDevitt,	Reidenbach,
Arlene,	Gelfand,	McDonald,	Renwick,
Bachman,	Gray,	McKeever,	Riley,
Bonner,	Greenlee,	McLaughlin,	Rovansek,
Branca,	Gremminger,	McNally,	Rubin,
Breth,	Guesman,	Meholchick,	Rudisall,
Capano,	Hartley,	Mills,	Sakulsky,
Capitolo,	Hamilton,	Monroe,	Scarcell,
Cauley,	Heavey,	Morley,	Schaaf,
Cioffi,	Irvis,	Mullen,	Shelton,
Clarke,	Jenkins,	Munley,	Sherman,
Comer,	Jim,	Murphy,	Shupnik,
Cooley,	Jones,	Murray,	Stank,
Crossin,	Kamyk,	Musto,	Stone,
Curwood,	Kelly,	Needham,	Sullivan, J. A.,
Dougherty,	Klein,	O'Dell,	Sullivan, T. F.,
Doughten,	Kornick,	O'Donnell, J. A.,	Taylor,
Edberg,	Kramer,	O'Donnell, J. P.,	Tomascik,
Farabaugh,	Lawson,	Parlante,	Trusio,
Filo,	Leonard,	Pashley,	Verona,
Fineman,	Limper,	Perry,	Walsh,
Flynn,	Long, Wm. Jos.,	Petrosky,	Wargo,
Foerster,	Lutty,	Polaski,	Welsh,
Frascella,	Maxwell,	Polen,	Yetter,
Fry,	McCann,	Prendergast,	Andrews,
Galley,	McCormack,	Reibman,	Speaker

NAYS—96

Adams,	George,	King,	Simmons,
Anderson, J. H.,	Gibb,	Kistler,	Slack,
Ashton,	Gibbons,	Knecht,	Steckel,
Auker,	Goldstein, J. H.,	Kooker,	Stimmel,
Backenstoe,	Goldstein, M. H.,	Korns,	Stiteler,
Blair,	Goodrich,	Lee, A. M.,	Strausser,
Bossert,	Gramlich,	Lee, K. B.,	Thompson,
Bower,	Gross,	Lippincott,	Tompkins,
Bowman,	Guthrie,	Magee,	Ujobal,
Buchanan,	Haudenshield,	Manbeck,	Varnar,
Bush,	Heffner,	Markley,	Wall,
Davis,	Helm,	Marsh,	Weldner,
Dennison,	Henzel,	May,	Wescott,
Donaldson,	Hocker,	McCandless,	Whittaker,
Edwards,	Holl,	McInroy,	Willard,
Elvey,	Holliday,	Merry,	Willaredt,
Eshback,	Holman,	Miller,	Williams, A. D.,
Eshleman,	Horst,	Odorisio,	Williams, E. S.,
Esler,	Isaacs,	Piper,	Wilt,
Ewing,	Johnson, A. W.,	Price,	Wood,
Fetterolf,	Johnson, R. P.,	Pursley,	Worley,
Foor,	Kelser,	Royer,	Wynd,
Fox,	Kernaghan,	Rutherford,	Zember,
Fulmer,	Kessler,	Seltzer,	Zimmerman,

NOT VOTING—11

Boles,	Down,	Long, Wm. Jas.,	Schuster,
Cianfrani,	Hankins,	Mihm,	Snare,
Dengler,	Lamb,	Ogilvie,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the amendments were not concurred in.

Ordered, that the clerk inform the Senate accordingly.

SENATE MESSAGE

RECALLING SENATE BILL NO. 114 FROM GOVERNOR

The clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, July 12, 1961.

Resolved (if the House of Representatives concur), that Senate Bill No. 114, printer's No. 894, entitled "An act reenacting and amending section 13 and Article VII of Chapter II of the act of December 15, 1959 (P. L. 1779), entitled 'An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth' removing the requirement that fishermen be licensed in order to fish in certain regulated fishing lakes further regulating the issuance of permits or bills of sale for fish caught in such lakes changing penalties relating to such lakes and harmonizing language of existing law," be recalled from the Governor for the purpose of amendment.

Ordered, That the clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate? It was concurred in.

Ordered, That the clerk inform the Senate accordingly.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 527, entitled:

An Act amending the act of October 27, 1955 (P. L. 744), entitled as amended "Pennsylvania Human Relations Act" increasing the membership of the commission and changing quorum provisions.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—182

Adams,	Gelfand,	Leonard,	Renwick,
Anderson, J. H.,	George,	Limper,	Riley,
Anderson, S. A.,	Gibb,	Lippincott,	Rovansek,
Arlene,	Gibbons,	Long, Wm. Jos.,	Royer,
Auker,	Goldstein, J. H.,	Lutty,	Rubin,
Bachman,	Goldstein, M. H.,	Magee,	Rudisill,
Backenstoe,	Goodrich,	Manbeck,	Rutherford,
Blair,	Gramlich,	Markley,	Sakulsky,
Bonner,	Gray,	Maxwell,	Scarcelli,
Bossert,	Greenlee,	May,	SchAAF,
Bower,	Gremminger,	McCann,	Seltzer,
Bowman,	Guesman,	McCandless,	Shelton,
Breth,	Guthrie,	McDevitt,	Sherman,
Branca,	Hamilton,	McDonald,	Shupnik,
Buchanan,	Hartley,	McInroy,	Simmons,
Bush,	Haudenshield,	McKeever,	Slack,
Capano,	Heavey,	McLaughlin,	Stank,
Capitolo,	Heffner,	McNally,	Steckel,
Cauley,	Helm,	Meholchick,	Stimmel,
Cioffi,	Henzel,	Merry,	Stone,
Clarke,	Hocker,	Miller,	Sullivan, J. A.,
Comer,	Holl,	Mills,	Sullivan, T. F.,
Cooley,	Holliday,	Monroe,	Taylor,
Crossin,	Holman,	Morley,	Thompson,
Curwood,	Horst,	Mullen,	Tomascik,
Dennison,	Irvia,	Munley,	Tompkins,
Donaldson,	Isaacs,	Murphy,	Trusio,
Doughten,	Jenkins,	Murray,	Ujobal,
Edwards,	Jim,	Musto,	Varnar,
Ellberg,	Johnson, A. W.,	Needham,	Verona,
Elvey,	Johnson, R. P.,	O'Donnell, J. A.,	Wall,
Eshleman,	Jones,	O'Donnell, J. P.,	Walsh,
Esler,	Kamyk,	Odorisio,	Wargo,
Ewing,	Kelser,	Parlante,	Weidner,
Fetterolf,	Kelly,	Pashley,	Welsh,
Flo,	Kernaghan,	Perry,	Wescott,
Fineman,	Kessler,	Petrosky,	Willard,
Flynn,	Kistler,	Piper,	Willaredt,
Foerster,	Klein,	Polaski,	Williams, A. D.,
Foor,	Knecht,	Polen,	Williams, E. S.,
Fox,	Kooker,	Prendergast,	Wilt,
Frascella,	Kornick,	Price,	Worley,
Fry,	Kramer,	Pursley,	Wynd,
Fuller,	Lawson,	Reibman,	Yetter,
Galley,	Lee, A. M.,	Reidenbach,	Zember,
Gallagher,	Lee, K. B.,		

NAYS—12

Ashton,	King,	O'Dell,	Whittaker,
Davis,	Korns,	Stiteler,	Wood,
Gross,	Marsh,	Strausser,	Zimmerman,

NOT VOTING—16

Boles,	Down,	Lamb,	Ogilvie,
Cianfrani,	Eshback,	Long, Wm. Jas.,	Schuster,
Dengler,	Farabaugh,	McCormack,	Snare,
Dougherty,	Hankins,	Mihm,	Andrews,

Speaker

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 674, entitled:

An Act amending the act of June 23, 1931 (P. L. 932), entitled "The Third Class City Code" permitting cities to make appropriations to industrial development agencies.

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—193

Adams,	Gelfand,	Lee, K. B.,	Riley,
Anderson, J. H.,	George,	Leonard,	Rovanseck,
Anderson, S. A.,	Gibb,	Limper,	Royer,
Arlene,	Gibbons,	Lippincott,	Rubin,
Ashton,	Goldstein, J. H.,	Long, Wm. Jos.,	Rudisill,
Auker,	Goldstein, M. H.,	Lutty,	Sakulsky,
Bachman,	Goodrich,	Magee,	Scarcelli,
Backenstoe,	Gramlich,	Manbeck,	Schaaf,
Blair,	Gray,	Markley,	Seltzer,
Bonner,	Greenlee,	Marsh,	Shelton,
Bossert,	Gremminger,	May,	Sherman,
Bower,	Gross,	Maxwell,	Shupnik,
Bowman,	Guesman,	McCandless,	Simmons,
Branca,	Guthrie,	McCann,	Slack,
Breth,	Hamilton,	McCormack,	Stank,
Bush,	Hartley,	McDevitt,	Steckel,
Capano,	Haudenshield,	McDonald,	Stimmel,
Capitolo,	Heavey,	McInroy,	Stone,
Cauley,	Heffner,	McKeever,	Strausser,
Cioffi,	Helm,	McLaughlin,	Sullivan, J. A.,
Clarke,	Henzel,	Meholchick,	Sullivan, T. F.,
Comer,	Hocker,	Merry,	Taylor,
Cooley,	Holl,	Miller,	Tomasck,
Crossin,	Holliday,	Mills,	Thompson,
Curwood,	Holman,	Monroe,	Tompkins,
Dennison,	Horst,	Morley,	Trusio,
Donaldson,	Irvis,	Mullen,	Ujobal,
Dougherty,	Isaacs,	Munley,	Varnier,
Doughten,	Jenkins,	Murphy,	Verona,
Edwards,	Jim,	Murray,	Walsh,
Ellberg,	Johnson, A. W.,	Musto,	Wargo,
Elvey,	Johnson, R. P.,	Needham,	Weidner,
Eshback,	Jones,	O'Donnell, J. A.,	Welsh,
Eshleman,	Kamyk,	O'Donnell, J. P.,	Wescott,
Esler,	Keiser,	Odorisio,	Whittaker,
Ewing,	Kelly,	Parlante,	Willard,
Farabaugh,	Kernaghan,	Pashley,	Willaredt,
Fetterolf,	Kessler,	Perry,	Williams, A. D.,
Filo,	King,	Petrosky,	Williams, E. S.,
Fineman,	Kistler,	Piper,	Wilt,
Flynn,	Klein,	Polaski,	Wood,
Foerster,	Knecht,	Polen,	Worley,
Foor,	Kooker,	Prendergast,	Wynd,
Fox,	Kornick,	Price,	Yetter,
Frascella,	Korns,	Pursley,	Zember,
Fry,	Kramer,	Reibman,	Zimmerman,
Fulmer,	Lawson,	Reidenbach,	Andrews,
Galley,	Lee, A. M.,	Renwick,	
Gallagher,			Speaker

NAYS—4

Davis,	O'Dell,	Rutherford,	Stiteler,
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NOT VOTING—13

Boles,	Down,	Long, Wm. Jas.,	Ogilvie,
Buchanan,	Hankins,	McNally,	Schuster,
Cianfrani,	Lamb,	Mihm,	Snare,
Dengler,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 684, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" removing provisions relating to the districting of State colleges.

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—192

Adams,	Gelfand,	Leonard,	Rovanseck,
Anderson, J. H.,	George,	Limper,	Royer,
Anderson, S. A.,	Gibb,	Lippincott,	Rubin,
Arlene,	Gibbons,	Long, Wm. Jos.,	Rudisill,
Ashton,	Goldstein, J. H.,	Lutty,	Rutherford,
Bachman,	Goldstein, M. H.,	Magee,	Sakulsky,
Backenstoe,	Goodrich,	Manbeck,	Scarcelli,
Blair,	Gramlich,	Markley,	Schaaf,
Bossert,	Gray,	Marsh,	Seltzer,
Bower,	Greenlee,	May,	Shelton,
Bowman,	Gremminger,	Maxwell,	Sherman,
Branca,	Guesman,	McCandless,	Shupnik,
Breth,	Guthrie,	McCann,	Simmons,
Buchanan,	Hamilton,	McCormack,	Slack,
Bush,	Hartley,	McDevitt,	Stank,
Capano,	Haudenshield,	McDonald,	Steckel,
Capitolo,	Heavey,	McInroy,	Stimmel,
Cauley,	Heffner,	McKeever,	Stiteler,
Cioffi,	Helm,	McLaughlin,	Stone,
Clarke,	Henzel,	McNally,	Strausser,
Comer,	Hocker,	Meholchick,	Sullivan, J. A.,
Cooley,	Holl,	Merry,	Sullivan, T. F.,
Crossin,	Holliday,	Miller,	Taylor,
Curwood,	Holman,	Mills,	Thompson,
Davis,	Horst,	Monroe,	Tompkins,
Dennison,	Irvis,	Morley,	Trusio,
Donaldson,	Isaacs,	Mullen,	Varnier,
Dougherty,	Jenkins,	Munley,	Verona,
Doughten,	Jim,	Murphy,	Ujobal,
Edwards,	Johnson, A. W.,	Murray,	Wall,
Elvey,	Johnson, R. P.,	Musto,	Walsh,
Ellberg,	Jones,	Needham,	Wargo,
Eshback,	Kamyk,	O'Dell,	Weidner,
Eshleman,	Keiser,	O'Donnell, J. A.,	Welsh,
Esler,	Kelly,	Odorisio,	Wescott,
Ewing,	Kernaghan,	Parlante,	Whittaker,
Farabaugh,	Kessler,	Pashley,	Willard,
Fetterolf,	King,	Perry,	Willaredt,
Filo,	Kistler,	Petrosky,	Williams, A. D.,
Fineman,	Klein,	Piper,	Williams, E. S.,
Flynn,	Knecht,	Polaski,	Wilt,
Foerster,	Kooker,	Polen,	Wood,
Foor,	Kornick,	Prendergast,	Worley,
Fox,	Korns,	Pursley,	Wynd,
Frascella,	Kramer,	Price,	Yetter,
Fry,	Lawson,	Reibman,	Zember,
Fulmer,	Lee, A. M.,	Renwick,	Zimmerman,
Galley,	Lee, K. B.,	Riley,	Andrews,
Gallagher,			Speaker

NAYS—2

Auker,	Gross,
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NOT VOTING—16

Boles,	Down,	Long, Wm. Jas.,	Reidenbach,
Bonner,	Frascella,	Mihm,	Schuster,
Cianfrani,	Hankins,	O'Donnell, J. P.,	Snare,
Dengler,	Lamb,	Ogilvie,	Tomasck,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 701, entitled:

An Act amending the act of July 7, 1947 (P. L. 1368), entitled "Real Estate Sale Law" further regulating notice given to delinquent taxables.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—195

Adams,	Gelfand,	Limper,	Rubin,
Anderson, J. H.,	George,	Lippincott,	Rudisill,
Anderson, S. A.,	Gibb,	Long, Wm. Jos.,	Rutherford,
Arlene,	Gibbons,	Lutty,	Sakulsky,
Ashton,	Goldstein, J. H.,	Magee,	Scarcell,
Auker,	Goldstein, M. H.,	Manbeck,	Schaaf,
Bachman,	Goodrich,	Markley,	Schuster,
Backenstoe,	Gramlich,	Marsh,	Seltzer,
Blair,	Gray,	Maxwell,	Shelton,
Bonner,	Greenlee,	May,	Sherman,
Bossert,	Gremminger,	McCandless,	Shupnik,
Bower,	Gross,	McCann,	Simmons,
Bowman,	Guesman,	McDevitt,	Slack,
Branca,	Guthrie,	McDonald,	Stank,
Breth,	Hamilton,	McInroy,	Steckel,
Buchanan,	Hartley,	McKeever,	Stimmel,
Bush,	Haudenshield,	McLaughlin,	Stiteler,
Capano,	Heavey,	McNally,	Stone,
Capitolo,	Heffner,	Meholchick,	Strausser,
Cauley,	Helm,	Merry,	Sullivan, J. A.,
Cioffi,	Hocker,	Miller,	Sullivan, T. F.,
Clarke,	Holl,	Mills,	Taylor,
Comer,	Holliday,	Monroe,	Thompson,
Cooley,	Holman,	Morley,	Tomasck,
Crossin,	Horst,	Mullen,	Tompkins,
Curwood,	Irvls,	Munley,	Trusio,
Davis,	Isaacs,	Murray,	Ujobai,
Dennison,	Jenkins,	Musto,	Varnar,
Donaldson,	Jim,	Needham,	Verona,
Dougherty,	Johnson, A. W.,	O'Dell,	Wall,
Doughten,	Johnson, R. P.,	O'Donnell, J. A.,	Walsh,
Edwards,	Jones,	O'Donnell, J. P.,	Wargo,
Ellberg,	Kamyk,	Odorisio,	Weidner,
Elvey,	Keiser,	Parlante,	Welsh,
Eshback,	Kelly,	Pashley,	Wescott,
Eshleman,	Kernaghan,	Perry,	Whittaker,
Esler,	Kessler,	Petrosky,	Willard,
Ewing,	King,	Piper,	Willaredt,
Farabaugh,	Kistler,	Polaski,	Williams, A. D.,
Fetterolf,	Klein,	Polen,	Williams, E. S.,
Filo,	Knecht,	Prendergast,	Wilt,
Fineman,	Kooker,	Price,	Wood,
Flynn,	Kornick,	Pursley,	Worley,
Foerster,	Korns,	Reibman,	Wynd,
Poor,	Kramer,	Reidenbach,	Yetter,
Fox,	Lawson,	Renwick,	Zember,
Fry,	Lee, A. M.,	Riley,	Zimmerman,
Fulmer,	Lee, K. B.,	Rovanse,	Andrews,
Gallagher,	Leonard,	Royer,	Speaker

NAYS—2

Galley, Murphy,

NOT VOTING—13

Boies,	Frascella,	Lamb,	Mihm,
Cianfrani,	Hankins,	Long, Wm. Jas.,	Ogilvie,
Dengler,	Henzel,	McCormack,	Snare,
Down,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 716, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" clarifying and changing provisions relating to social studies curriculum.

On the question,

Will the House agree to the bill on third reading?

Mr. MARSH asked unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the clerk for information.

Amend Sec. 2 (Sec. 1605), page 3, line 14 by inserting after "privilege" and to understand the wicked deception and destructive and fraudulent effects of communism.

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 735, entitled:

An Act amending the act of December 22, 1951 (P. L. 1726), entitled "Pennsylvania Loyalty Act" excluding from the provisions of the act certain teachers who are citizens or subjects of foreign countries.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—168

Anderson, J. H.,	Fulmer,	Kramer,	Riley,
Anderson, S. A.,	Galley,	Lawson,	Rovanse,
Arlene,	Gallagher,	Lee, A. M.,	Royer,
Auker,	Gelfand,	Lee, K. B.,	Rubin,
Bachman,	George,	Leonard,	Rudisill,
Backenstoe,	Gibb,	Limper,	Rutherford,
Blair,	Gibbons,	Lippincott,	Sakulsky,
Bonner,	Goldstein, M. H.,	Long, Wm. Jos.,	Scarcell,
Bower,	Goodrich,	Lutty,	Schaaf,
Bowman,	Gramlich,	Markley,	Schuster,
Branca,	Gray,	Marsh,	Seltzer,
Breth,	Greenlee,	Maxwell,	Shelton,
Buchanan,	Gremminger,	McCandless,	Sherman,
Bush,	Guesman,	McCann,	Steckel,
Capano,	Guthrie,	McCormack,	Stimmel,
Capitolo,	Hamilton,	McDonald,	Stone,
Cauley,	Hartley,	McInroy,	Sullivan, J. A.,
Cioffi,	Haudenshield,	McKeever,	Sullivan, T. F.,
Clarke,	Heavey,	McLaughlin,	Taylor,
Comer,	Heffner,	Meholchick,	Thompson,
Cooley,	Helm,	Merry,	Tomasck,
Crossin,	Henzel,	Miller,	Tompkins,
Curwood,	Holl,	Mills,	Trusio,
Donaldson,	Holliday,	Monroe,	Ujobai,
Dougherty,	Holman,	Morley,	Varnar,
Doughten,	Irvls,	Mullen,	Verona,
Edwards,	Isaacs,	Murray,	Wall,
Ellberg,	Jenkins,	Musto,	Weidner,
Elvey,	Jim,	O'Dell,	Welsh,
Eshback,	Johnson, A. W.,	Odorisio,	Wescott,
Eshleman,	Johnson, R. P.,	Parlante,	Whittaker,
Esler,	Jones,	Pashley,	Willard,
Ewing,	Kamyk,	Perry,	Willaredt,
Farabaugh,	Keiser,	Petrosky,	Williams, A. D.,
Fetterolf,	Kelly,	Piper,	Williams, E. S.,
Filo,	Kernaghan,	Polaski,	Wilt,
Fineman,	Kistler,	Polen,	Wood,
Flynn,	Klein,	Prendergast,	Worley,
Poor,	Knecht,	Pursley,	Wynd,
Fox,	Kooker,	Reibman,	Yetter,
Frascella,	Kornick,	Reidenbach,	Zember,
Fry,	Korns,	Renwick,	Andrews,

Speaker

NAYS—28

Adams,	Gross,	May,	Slack,
Ashton,	Hocker,	Munley,	Stank,
Bossert,	Horst,	Murphy,	Stiteler,
Davis,	Kessler,	Needham,	Strausser,
Dennison,	King,	Price,	Walsh,
Foerster,	Magee,	Shupnik,	Wargo,
Goldstein, J. H.,	Manbeck,	Simmons,	Zimmerman,

NOT VOTING—14

Boles,	Hankins,	McNally,	O'Donnell, J. P.,
Cianfrani,	Lamb,	Mihm,	Ogillvie,
Dengler,	Long, Wm. Jas.,	O'Donnell, J. A.,	Snare,
Down,	McDevitt,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 746, entitled:

An Act to regulate the sale and distribution for agricultural purposes of ground limestone burned and hydrated lime gypsum slag and related products in the Commonwealth of Pennsylvania conferring powers and imposing duties on the Department of Agriculture establishing fees making an appropriation and prescribing penalties.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—198

Adams,	Gallagher,	Limper,	Rovansek,
Anderson, J. H.,	Gelfand,	Lippincott,	Rubin,
Anderson, S. A.,	George,	Long, Wm. Jos.,	Rudisill,
Arlene,	Gibb,	Lutty,	Rutherford,
Ashton,	Gibbons,	Magee,	Sakulsky,
Auker,	Goldstein, J. H.,	Manbeck,	Scarcell,
Bachman,	Goldstein, M. H.,	Markley,	Schuster,
Backenstoe,	Goodrich,	Marsh,	Seltzer,
Blair,	Gramlich,	May,	Shelton,
Bonner,	Gray,	Maxwell,	Sherman,
Bossert,	Greenlee,	McCandless,	Shupnik,
Bower,	Gremminger,	McCann,	Simmons,
Bowman,	Gross,	McCormack,	Slack,
Branca,	Guesman,	McDevitt,	Stank,
Breth,	Guthrie,	McDonald,	Steckel,
Buchanan,	Hamilton,	McInroy,	Stimmel,
Bush,	Hartley,	McKeever,	Stiteler,
Capano,	Haudenshield,	McLaughlin,	Stone,
Capitolo,	Heavey,	McNally,	Strausser,
Cauley,	Heffner,	Meholchick,	Sullivan, J. A.,
Cioffi,	Helm,	Merry,	Sullivan, T. F.,
Clarke,	Henzel,	Miller,	Taylor,
Comer,	Hocker,	Mills,	Thompson,
Cooley,	Holl,	Monroe,	Tomasck,
Crossin,	Holliday,	Morley,	Tompkins,
Curwood,	Holman,	Mullen,	Trusio,
Davis,	Horst,	Munley,	Ujobai,
Dennison,	Irviss,	Murphy,	Varner,
Donaldson,	Isaacs,	Murray,	Verona,
Dougherty,	Jenkins,	Musto,	Wall,
Doughten,	Jim,	Needham,	Walsh,
Edwards,	Johnson, A. W.,	O'Dell,	Wargo,
Eilberg,	Johnson, R. P.,	O'Donnell, J. A.,	Weidner,
Elvey,	Jones,	Odoriso,	Welsh,
Eshback,	Kamyk,	Parlante,	Wescott,
Eshleman,	Kelser,	Pashley,	Whittaker,
Esler,	Kelly,	Perry,	Willard,
Ewing,	Kernaghan,	Petrosky,	Willaredt,
Farabaugh,	Kessler,	Piper,	Williams, A. D.,
Fetterolf,	King,	Polaski,	Williams, E. S.,

Filo,	Kistler,	Polen,	Williams, E. S.,
Fineman,	Klein,	Prendergast,	Wilt,
Flynn,	Knecht,	Price,	Wood,
Foerster,	Kooker,	Pursley,	Worley,
Foor,	Kornick,	Rebman,	Wynd,
Fox,	Korns,	Reidenbach,	Yetter,
Frascella,	Kramer,	Renwick,	Zember,
Fry,	Lawson,	Riley,	Zimmerman,
Fulmer,	Lee, K. B.,	Royer,	Andrews,
Galley,	Leonard,		Speaker

NAYS—0

NOT VOTING—12

Boles,	Down,	Lee, A. M.,	O'Donnell, J. P.,
Cianfrani,	Hankins,	Long, Wm. Jas.,	Ogillvie,
Dengler,	Lamb,	Mihm,	Snare,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 747, entitled:

An Act defining milk and its derivatives prohibiting its adulteration regulating its labeling sale and serving imposing powers and duties on the Department of Agriculture providing penalties and making repeals.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Adams,	Galley,	Leonard,	Royer,
Anderson, J. H.,	Gallagher,	Limper,	Rubin,
Anderson, S. A.,	Gelfand,	Lippincott,	Rudisill,
Arlene,	George,	Long, Wm. Jos.,	Rutherford,
Ashton,	Gibb,	Lutty,	Sakulsky,
Auker,	Gibbons,	Magee,	Scarcell,
Bachman,	Goldstein, J. H.,	Manbeck,	Schaaf,
Backenstoe,	Goodrich,	Markley,	Schuster,
Blair,	Gramlich,	Marsh,	Seltzer,
Bonner,	Gray,	Maxwell,	Shelton,
Bossert,	Greenlee,	May,	Sherman,
Bower,	Gremminger,	McCandless,	Shupnik,
Bowman,	Gross,	McCann,	Simmons,
Branca,	Guesman,	McCormack,	Slack,
Breth,	Guthrie,	McDevitt,	Stank,
Buchanan,	Hamilton,	McDonald,	Steckel,
Bush,	Hartley,	McInroy,	Stimmel,
Capano,	Haudenshield,	McKeever,	Stiteler,
Capitolo,	Heavey,	McLaughlin,	Stone,
Cauley,	Heffner,	Meholchick,	Strausser,
Cioffi,	Helm,	Merry,	Sullivan, J. A.,
Clarke,	Henzel,	Miller,	Sullivan, T. F.,
Comer,	Hocker,	Mills,	Taylor,
Cooley,	Holl,	Monroe,	Thompson,
Crossin,	Holliday,	Morley,	Tomasck,
Curwood,	Holman,	Mullen,	Tompkins,
Davis,	Horst,	Munley,	Trusio,
Dennison,	Irviss,	Murphy,	Ujobai,
Donaldson,	Isaacs,	Murray,	Varner,
Dougherty,	Jenkins,	Musto,	Verona,
Doughten,	Jim,	Needham,	Wall,
Edwards,	Johnson, A. W.,	O'Dell,	Walsh,
Eilberg,	Johnson, R. P.,	O'Donnell, J. A.,	Wargo,
Elvey,	Jones,	Odoriso,	Weidner,
Eshback,	Kamyk,	Parlante,	Welsh,
Eshleman,	Kelser,	Pashley,	Wescott,
Esler,	Kernaghan,	Perry,	Whittaker,
Ewing,	Kessler,	Petrosky,	Willard,
Farabaugh,	King,	Piper,	Willaredt,
Fetterolf,	Kistler,	Polaski,	Williams, A. D.,
	Klein,	Polen,	Williams, E. S.,

Fineman, Flynn, Foerster, Foor, Fox, Frascella, Fry, Fulmer,	Knecht, Kooker, Kornick, Korns, Kramer, Lawson, Lee, A. M., Lee, K. B.,	Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick, Riley, Rovanseck,	Wilt, Wood, Worley, Wynd, Yetter, Zember, Zimmerman, Andrews, Speaker
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NAYS—0

NOT VOTING—14

Boles, Cianfrani, Dengler, Down,	Goldstein, M. H., Hankins, Kelly, Lamb,	Long, Wm. Jas., McNally, Mihm,	O'Donnell, J. P., Ogilvie, Snare,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 757, entitled:

An Act amending the act of July 7, 1947 (P. L. 1368), entitled "Real Estate Tax Sale Law" requiring taxes levied for the current year to be included in the upset price at the sale of any property upon a claim absolute.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—195

Adams, Anderson, J. H., Anderson, S. A., Arlene, Ashton, Auker, Bachman, Backenstoe, Blair, Bossert, Bower, Bowman, Breth, Buchanan, Bush, Capano, Capitolo, Cauley, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dennison, Donaldson, Edwards, Elberg, Elvey, Eshback, Eshleman, Esler, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Flynn, Foerster, Foor,	Gibb, Gibbons, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Gray, Greenlee, Gremmlinger, Gross, Guesman, Guthrie, Hamilton, Hartley, Haudenshield, Heavey, Heffner, Helm, Henzel, Hocker, Holl, Holliday, Holman, Horst, Irviss, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Keiser, Kelly, Kernaghan, Kessler, King, Kistler, Klein, Knecht, Kooker,	Lippincott, Long, Wm. Jos., Lutty, Magee, Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McCormack, McDevitt, McDonald, McInroy, McKeever, McLaughlin, McNally, Meholchick, Merry, Miller, Mills, Monroe, Morley, Mullen, Munley, Murphy, Murray, Musto, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Parlante, Pashley, Perry, Petrosky, Piper, Polaski, Polen,	Rubin, Rudisill, Rutherford, Sakulsky, Scarcelli, Schaaf, Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Slack, Stank, Stankel, Stimmel, Stiteler, Stone, Strausser, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomasck, Tompkins, Trusio, Ujobai, Varner, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Whittaker, Willard, Willaredt, Williams, A. D., Williams, E. S., Wilt,
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Fox, Frascella, Fry, Fulmer, Galley, Gallagher, Gelfand, George,	Kornick, Korns, Kramer, Lawson, Lee, A. M., Lee, K. B., Leonard, Limper,	Prendergast, Price, Pursley, Reibman, Reidenbach, Riley, Rovanseck, Royer,	Wood, Worley, Wynd, Yetter, Zember, Zimmerman, Andrews, Speaker
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NAYS—0

NOT VOTING—15

Boles, Bonner, Branca, Cianfrani,	Dengler, Dougherty, Doughten, Down,	Hankins, Lamb, Long, Wm. Jas., Mihm,	Ogilvie, Renwick, Snare,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 760, entitled:

An Act amending the act of June 25, 1947 (P. L. 1145), entitled as amended "Local Tax Enabling Law" providing for an official register of earned income tax levies and relieving employers from reporting the earnings and withholding the taxes of their employees with respect to levies not listed in the register and relieving employers from liability when employees misinform the employers as to their place or residence.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Adams, Anderson, J. H., Anderson, S. A., Arlene, Ashton, Auker, Bachman, Backenstoe, Blair, Bossert, Bower, Bowman, Branca, Breth, Buchanan, Bush, Capano, Capitolo, Cauley, Cioffi, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dennison, Donaldson, Dougherty, Doughten, Edwards, Elberg, Elvey, Eshback, Eshleman, Esler,	Gelfand, George, Gibb, Gibbons, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Gray, Greenlee, Gremmlinger, Gross, Guesman, Guthrie, Hamilton, Hartley, Haudenshield, Heavey, Heffner, Helm, Henzel, Hocker, Holl, Holliday, Holman, Horst, Irviss, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Keiser, Kelly,	Leonard, Limper, Lippincott, Long, Wm. Jos., Lutty, Magee, Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McCormack, McDevitt, McDonald, McInroy, McKeever, McLaughlin, McNally, Meholchick, Merry, Miller, Mills, Monroe, Morley, Mullen, Murphy, Murray, Musto, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Parlante,	Rovanseck, Royer, Rubin, Rudisill, Rutherford, Sakulsky, Scarcelli, Schaaf, Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Slack, Stank, Stankel, Stimmel, Stiteler, Stone, Strausser, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomasck, Tompkins, Trusio, Ujobai, Varner, Verona, Wall, Walsh, Weidner, Welsh, Wescott,
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Ewing,	Kernaghan,	Pashley,	Whittaker,
Fetterolf,	Kessler,	Perry,	Willard,
Filo,	King,	Petrosky,	Williams, A. D.,
Fineman,	Kistler,	Piper,	Williams, E. S.,
Flynn,	Klein,	Polaski,	Willaredt,
Foerster,	Knecht,	Polen,	Wilt,
Foor,	Kooker,	Prendergast,	Wood,
Fox,	Kornick,	Price,	Worley,
Frascella,	Korns,	Pursley,	Wynd,
Fry,	Kramer,	Reibman,	Yetter,
Fulmer,	Lawson,	Reldenbach,	Zember,
Galley,	Lee, A. M.,	Renwick,	Zimmerman,
Gallagher,	Lee, K. B.,	Riley,	Andrews,

Speaker

NAYS—0

NOT VOTING—14

Boles,	Down,	Long, Wm. Jas.,	Ogilvie,
Bonner,	Farabaugh,	Mihm,	Snare,
Cianfrani,	Hankins,	Munley,	Wargo,
Dengler,	Lamb,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILL ON THIRD READING POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on third reading of Senate bill No. 486, entitled:

An Act amending the act of June 25, 1947 (P. L. 1145), entitled as amended "Local Tax Enabling Act" prescribing the effective date of taxes levied for the first time by any political subdivision limiting appeals by taxpayers to such first tax levies.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. ADAMS asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the clerk for information.

Amend Title, page 2, sixth line of Title, by inserting after "Court" where it appears the second time: placing a limitation on flat rate occupation privilege taxes levied by any political subdivision and

Amend Sec. 1, page 2, line 1, by striking out "Section 3" and inserting: Clause (a) of subsection E of section 1

Amend Sec. 1, page 3, line 4, by striking out "May 9 1949 (P. L. 898)" and inserting: October 14, 1959 (P. L. 1317)

Amend Bill, page 3, by inserting between lines 5 and 6: Section 1. * * *

E. Limitations on Rates of Specific Taxes.—No taxes levied under the provisions of this act shall be levied by any political subdivision on the following subjects exceeding the rates specified in this subsection:

(a) Per capita, poll or other similar head taxes, and flat rate occupation taxes not using a millage or percentage as a basis, \$10.

* * *

Section 2. Section 3 of the act, amended May 9, 1949 (P. L. 898), is amended to read:

Amend Sec. 2, page 5, line 4, by striking out "2" and inserting: 3

Amend Sec. 2, page 5, line 4, by inserting after "immediately" but section 1 shall not apply to any political subdivision which has, prior to the effective date of this act, adopted an ordinance imposing a flat rate occupation privilege tax in excess of \$10 until the end of the fiscal

year of the political subdivision current on the effective date of this act.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 192, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" further providing for the placing of reflectors on vehicles and providing penalties.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—170

Adams,	Gelfand,	Leonard,	Renwick,
Anderson, J. H.,	George,	Limper,	Riley,
Anderson, S. A.,	Gibb,	Lippincott,	Rovansek,
Arlene,	Gibbons,	Long, Wm. Jos.,	Royer,
Bachman,	Goldstein, J. H.,	Lutty,	Rubin,
Backenstoe,	Goldstein, M. H.,	Magee,	Rudisill,
Blair,	Goodrich,	Markley,	Rutherford,
Bossert,	Gramlich,	Marsh,	Sakulsky,
Bower,	Gray,	Maxwell,	Scarcelli,
Bowman,	Greenlee,	May,	Schuster,
Branca,	Gremminger,	McCandless,	Shelton,
Breth,	Guesman,	McCann,	Sherman,
Buchanan,	Guthrie,	McDevitt,	Shupnik,
Bush,	Hamilton,	McInroy,	Stank,
Capano,	Hartley,	McKeever,	Steckel,
Capitolo,	Haudenshield,	McLaughlin,	Stimmel,
Cauley,	Heavey,	McNally,	Stone,
Clarke,	Helm,	Meholchick,	Strausser,
Comer,	Henzel,	Merry,	Thompson,
Cooley,	Hocker,	Miller,	Tompkins,
Crossin,	Holl,	Mills,	Ujobal,
Curwood,	Holliday,	Monroe,	Varner,
Davis,	Holman,	Morley,	Verona,
Dennison,	Irvis,	Munley,	Wall,
Donaldson,	Isaacs,	Murphy,	Walsh,
Dougherty,	Jenkins,	Musto,	Wargo,
Edwards,	Jim,	Needham,	Weidner,
Ellberg,	Johnson, A. W.,	O'Dell,	Welsh,
Eshleman,	Johnson, R. P.,	O'Donnell, J. A.,	Wescott,
Esler,	Jones,	O'Donnell, J. P.,	Whittaker,
Ewing,	Kamyk,	Odorisio,	Willard,
Fetterolf,	Kelser,	Parlante,	Willaredt,
Filo,	Kelly,	Pashley,	Williams, A. D.,
Fineman,	Kernaghan,	Perry,	Williams, E. S.,
Flynn,	Kessler,	Petrosky,	Wilt,
Foerster,	Kistler,	Piper,	Wood,
Foor,	Klein,	Polaski,	Wynd,
Fox,	Kooker,	Polen,	Yetter,
Frascella,	Kornick,	Prendergast,	Zember,
Fry,	Kramer,	Price,	Zimmerman,
Fulmer,	Lawson,	Pursley,	Andrews,
Galley,	Lee, A. M.,	Reibman,	
Gallagher,	Lee, K. B.,	Reldenbach,	Speaker

NAYS--22

Ashton,	Heffner,	Murray,	Sullivan, J. A.,
Auker,	Horst,	Schaaf,	Sullivan, T. F.,
Doughten,	King,	Seltzer,	Taylor,
Elvey,	Knecht,	Slack,	Trusio,
Eshback,	Korns,	Stiteler,	Worley,
Gross,	Manbeck,		

NOT VOTING--18

Boles,	Down,	McCormack,	Ogilvie,
Bonner,	Farabaugh,	McDonald,	Simmons,
Cianfrani,	Hankins,	Mihm,	Snare,
Cioffi,	Lamb,	Mullen,	Tomasick, *
Dengler,	Long, Wm. Jas.,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1319, entitled:

An Act amending the "Public Assistance Law" approved June 24, 1937 (P. L. 2051), defining "resident" and prescribing certain benefits for nonresident indigents and changing eligibility requirements.

On the question,

Will the House agree to the bill on third reading?

Mr. LAMB asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the clerk for information.

Amend Title, page 1, first line of Title, by inserting after "entitled" as amended

Amend Title, page 1, sixth line of Title, by striking out "Assistance" and inserting: Welfare

Amend Title, page 1, seventh and eighth lines of Title, by striking out "Assistance" and inserting: Welfare

Amend Sec. 2, page 4, lines 16 and 17, by striking out "AUGUST 22 1953 (P L 1361) AND"

Amend Sec. 2, page 4, line 17, by inserting after "(P L 397)" June 15, 1961 (Act No. 214)

Amend Sec. 2 (Sec. 9), page 5, line 3, by striking out "ASSISTANCE and inserting: Welfare

Amend Sec. 2 (Sec. 9), page 6, lines 11 to 13, by striking out "AS-" in line 11, all of line 12, and "OF ASSISTANCE]" in line 13, and inserting: Welfare

Amend Sec. 2 (Sec. 9), page 6, line 14, by striking out the bracket after "EXTENT"

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1001, entitled:

An Act amending "The Realty Transfer Tax Act" approved December 27, 1951 (P. L. 1742), redefining documents so as to exclude certain transfers from industrial development agencies.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS--194

Anderson, J. H.,	George,	Limper,	Rubin,
Anderson, S. A.,	Gibb,	Lippincott,	Rudisill,
Arlene,	Gibbons,	Long, Wm. Jos.,	Rutherford,
Ashton,	Goldstein, J. H.,	Lutty,	Sakulsky,
Auker,	Goldstein, M. H.,	Magee,	Scarcelli,
Bachman,	Goodrich,	Manbeck,	Schaaf,
Backenstoe,	Gramlich,	Markley,	Schuster,
Blair,	Gray,	Marsh,	Seltzer,
Bossert,	Greenlee,	Maxwell,	Shelton,
Bower,	Gremminger,	May,	Sherman,
Bowman,	Gross,	McCandless,	Shupnik,
Branca,	Guesman,	McCann,	Simmons,
Breth,	Guthrie,	McCormack,	Slack,
Buchanan,	Hamilton,	McDevitt,	Stank,
Bush,	Hartley,	McInroy,	Steckel,
Capano,	Haudenshield,	McKeever,	Stimmel,
Capitolo,	Heavey,	McLaughlin,	Stiteler,
Cauley,	Heffner,	McNally,	Stone,
Cioffi,	Helm,	Meholchick,	Strausser,
Clarke,	Henzel,	Merry,	Sullivan, J. A.,
Comer,	Hocker,	Miller,	Taylor,
Cooley,	Holl,	Mills,	Thompson,
Crossin,	Holliday,	Monroe,	Tomasick,
Curwood,	Holman,	Morley,	Tompkins,
Davis,	Horst,	Munley,	Trusio,
Dennison,	Irvls,	Murphy,	Ujobai,
Donaldson,	Isaacs,	Murray,	Varner,
Dougherty,	Jenkins,	Musto,	Verona,
Doughten,	Jim,	Needham,	Wall,
Edwards,	Johnson, A. W.,	O'Dell,	Walsh,
Elberg,	Johnson, R. P.,	O'Donnell, J. A.,	Wargo,
Elvey,	Jones,	O'Donnell, J. P.,	Weidner,
Eshback,	Kamyk,	Odorisio,	Welsh,
Eshleman,	Keiser,	Parlante,	Wescott,
Ewing,	Kelly,	Pashley,	Whittaker,
Farabaugh,	Kernaghan,	Perry,	Willard,
Fetterolf,	Kessler,	Petrosky,	Willaredt,
Filo,	King,	Piper,	Williams, A. D.,
Fineman,	Kistler,	Polaski,	Williams, E. S.,
Flynn,	Klein,	Polen,	Wilt,
Foerster,	Knecht,	Prendergast,	Wood,
Foor,	Kooker,	Price,	Worley,
Fox,	Kornick,	Pursley,	Wynd,
Frascella,	Korns,	Reibman,	Yetter,
Fry,	Kramer,	Reidenbach,	Zember,
Fulmer,	Lawson,	Renwick,	Zimmerman,
Galley,	Lee, A. M.,	Riley,	Andrews,
Gallagher,	Lee, K. B.,	Rovansek,	Speaker
Gelfand,	Leonard,	Royer,	

NAYS--1

Sullivan, T. F.,

NOT VOTING--15

Adams,	Dengler,	Lamb,	Mullen,
Boles,	Down,	Long, Wm. Jas.,	Ogilvie,
Bonner,	Esler,	McDonald,	Snare,
Cianfrani,	Hankins,	Mihm,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Mr. ADAMS. Mr. Speaker, I would like to be recorded as voting "aye" on that bill. I got to my desk too late to vote.

The SPEAKER. The remarks of the gentleman will be spread upon the record.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 720, entitled:

An Act amending the "Pennsylvania Fair Employment Practice Act" approved October 27, 1955 (P. L. 744), changing the definitions of employer and age and clarifying which advertisements by an individual seeking employment constitute unlawful employment practices.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—164

Adams,	Gelfand,	Leonard,	Rovansek,
Anderson, S. A.,	Gibb,	Limper,	Royer,
Auker,	Gibbons,	Lippincott,	Rubin,
Bachman,	Goldstein, M. H.,	Long, Wm. Jos.,	Rudisill,
Backenstoe,	Gray,	Lutty,	Rutherford,
Bossert,	Greenlee,	Manbeck,	Sakulsky,
Bower,	Gremminger,	Markley,	Scarcelli,
Branca,	Guesman,	Marsh,	Schaaf,
Breth,	Guthrie,	Maxwell,	Schuster,
Buchanan,	Hamilton,	May,	Seltzer,
Bush,	Hartley,	McCann,	Shelton,
Capano,	Haudenshield,	McDevitt,	Sherman,
Capitolo,	Heavey,	McInroy,	Shupnik,
Cauley,	Heffner,	McKeever,	Simmons,
Cioffi,	Helm,	McLaughlin,	Stank,
Clarke,	Henzel,	McNally,	Steckel,
Comer,	Hocker,	Miller,	Stimmel,
Cooley,	Holl,	Mills,	Stone,
Crossin,	Holliday,	Monroe,	Strausser,
Curwood,	Holman,	Morley,	Sullivan, J. A.,
Dennison,	Horst,	Munley,	Sullivan, T. F.,
Donaldson,	Irvie,	Murphy,	Taylor,
Dougherty,	Isaacs,	Musto,	Thompson,
Doughten,	Jenkins,	Needham,	Trusio,
Edwards,	Jim,	O'Donnell, J. A.,	Ujohal,
Ellberg,	Johnson, R. P.,	O'Donnell, J. P.,	Verona,
Elvey,	Jones,	Odoristo,	Walsh,
Eshback,	Kamyk,	Parlante,	Wargo,
Eshleman,	Keiser,	Pashley,	Weidner,
Esler,	Kelly,	Perry,	Welsh,
Ewing,	Kernaghan,	Petrofsky,	Whittaker,
Farabaugh,	Kessler,	Polaski,	Willard,
Fetterolf,	King,	Polen,	Willaredt,
Filo,	Klein,	Prendergast,	Williams, A. D.,
Fineman,	Knecht,	Price,	Williams, E. S.,
Flynn,	Kooker,	Pursley,	Worley,
Foerster,	Kornick,	Wynd,	Yetter,
Frascella,	Kramer,	Reidenbach,	Zimmerman,
Fry,	Lawson,	Renwick,	Zember,
Gallagher,	Lee, A. M.,	Riley,	Andrews,
Galley,	Lee, K. B.,		Speaker

NAYS—30

Anderson, J. H.,	Fulmer,	Kistler,	Slack,
Ashton,	George,	Korns,	Stiteler,
Blair,	Goldstein, J. H.,	Magee,	Tompkins,
Bowman,	Goodrich,	McCandless,	Wall,
Davis,	Gramlich,	McCormack,	Wescott,
Foor,	Gross,	Merry,	Wilt,
Fox,	Johnson, A. W.,	O'Dell,	Wood,
		Piper,	Zimmerman,

NOT VOTING—16

Ariene,	Dengler,	Long, Wm. Jas.,	Murray,
Boles,	Down,	McDonald,	Ogilvie,
Bonner,	Hankins,	Mihm,	Snare,
Cianfrani,	Lamb,	Mullen,	Tomasick,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1343, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), further regulating the imposition of penalties for operation of vehicles upon highways with tires which do not conform with requirements of the act.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—164

Adams,	Gallagher,	Lawson,	Reibman,
Anderson, J. H.,	Gelfand,	Lee, K. B.,	Reidenbach,
Anderson, S. A.,	George,	Leonard,	Renwick,
Ariene,	Gibb,	Limper,	Riley,
Ashton,	Gibbons,	Lippincott,	Rovansek,
Auker,	Goldstein, M. H.,	Long, Wm. Jos.,	Royer,
Bachman,	Gray,	Lutty,	Rubin,
Backenstoe,	Greenlee,	Magee,	Rudisill,
Bossert,	Gremminger,	Manbeck,	Rutherford,
Bower,	Gross,	Markley,	Sakulsky,
Bowman,	Guesman,	Marsh,	Scarcelli,
Branca,	Guthrie,	Maxwell,	Schuster,
Breth,	Hamilton,	May,	Seltzer,
Buchanan,	Hartley,	McCandless,	Shelton,
Capano,	Haudenshield,	McCann,	Sherman,
Capitolo,	Heavey,	McDevitt,	Shupnik,
Cauley,	Heffner,	McDonald,	Simmons,
Cioffi,	Henzel,	McInroy,	Slack,
Clarke,	Hocker,	McKeever,	Stank,
Comer,	Holl,	McLaughlin,	Steckel,
Cooley,	Holliday,	McNally,	Stimmel,
Crossin,	Holman,	Miller,	Stiteler,
Curwood,	Horst,	Mills,	Stone,
Donaldson,	Irvie,	Monroe,	Sullivan, T. F.,
Dougherty,	Isaacs,	Morley,	Taylor,
Doughten,	Jenkins,	Munley,	Thompson,
Edwards,	Jim,	Murphy,	Trusio,
Ellberg,	Johnson, R. P.,	Musto,	Ujohal,
Elvey,	Jones,	Needham,	Walsh,
Eshback,	Kamyk,	O'Donnell, J. A.,	Wargo,
Eshleman,	Keiser,	O'Donnell, J. P.,	Weidner,
Esler,	Kernaghan,	Odoristo,	Welsh,
Farabaugh,	Kessler,	Parlante,	Willard,
Filo,	King,	Pashley,	Williams, A. D.,
Fineman,	Kistler,	Perry,	Williams, E. S.,
Flynn,	Klein,	Petrofsky,	Wood,
Foerster,	Knecht,	Polaski,	Wynd,
Frascella,	Kooker,	Polen,	Yetter,
Fry,	Kornick,	Prendergast,	Zimmerman,
Gallagher,	Korns,	Price,	Zember,
Galley,	Kramer,		Andrews,

NAYS—29

Blair,	Fulmer,	Lee, A. M.,	Varner,
Bush,	Goldstein, J. H.,	Merry,	Verona,
Davis,	Goodrich,	O'Dell,	Wall,
Dennison,	Guthrie,	Piper,	Wescott,
Elvey,	Helm,	Pursley,	Whittaker,
Ewing,	Horst,	Strausser,	Willaredt,
Fetterolf,	Johnson, A. W.,	Tompkins,	Wilt,
			Worley,

NOT VOTING—17

Boles,	Down,	McCormack,	Snare,
Bonner,	Hankins,	Mihm,	Sullivan, J. A.,
Cianfrani,	Lamb,	Mullen,	Tomasick,
Dengler,	Long, Wm. Jas.,	Murray,	Andrews,
		Ogilvie,	Speaker

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, the clerk present the same to the Senate for concurrence.

The SPEAKER. The Chair requests the gentleman from Armstrong to preside.

Mr. HELM IN THE CHAIR.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of Senate bill No. 294, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" further providing for the lights and signals to be used in connection with certain vehicles and providing penalties.

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. STIMMEL. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. STIMMEL asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Sec. 4 (Sec. 802), page 13, line 5, by inserting after "vehicle" having a registered capacity gross weight of eleven thousand (11,000) pounds or more and

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate bill No. 508, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code" further defining disorderly conduct in order to protect passengers lawfully occupying any railroad railway elevated railway for purchase of firearms and subway passenger station or platform.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

Adams,	Galley,	Lee, A. M.,	Riley,
Anderson, J. H.	Gallagher,	Lee, K. B.,	Rovansek,
Anderson, S. A.,	Gelfand,	Leonard,	Royer,
Arlene,	George,	Limper,	Rubin,
Ashton,	Gibbons,	Lippincott,	Rudisill,
Auker,	Goldstein, J. H.,	Long, Wm. Jos.,	Rutherford,
Bachman	Goldstein, M. H.,	Lutty,	Sakulsky,
Backenstoe,	Goodrich,	Magee,	Scarcelli,
Blair,	Gramlich,	Manbeck,	Schaaf,
Bossert,	Gray,	Markley,	Schuster,
Bower,	Greenlee,	Marsh,	Seltzer,
Bowman,	Gremminger,	Maxwell,	Shelton,
Branca,	Gross,	McCandless,	Sherman,
Breth,	Guesman,	McCann,	Shupnik,
Buchanan,	Guthrie,	McCormack,	Simmons,
Bush,	Hamilton,	McDevitt,	Slack,

Capano,	Hartley,	McDonald	Steckel,
Capitolo,	Haudenschild,	McInroy,	Stimmel,
Caulley,	Heavey,	McKeever,	Stiteler,
Cioffi,	Heffner,	McLaughlin,	Stank,
Clarke,	Helm,	McNally,	Stone,
Comer,	Henzel,	Meholchick,	Strausser,
Cooley,	Hocker,	Merry,	Sullivan, T. F.,
Crossin,	Holl,	Miller,	Taylor,
Curwood,	Holliday,	Mills,	Thompson,
Davis,	Holman,	Monroe,	Tompkins,
Dennison,	Horst,	Morley,	Trusio,
Donaldson,	Irvis,	Mullen,	Ujobal,
Dougherty,	Isaacs,	Munley,	Varnier,
Doughten,	Jenkins,	Murphy,	Verona,
Edwards,	Jim,	Musto,	Wall,
Ellberg,	Johnson, A. W.,	Needham,	Wargo,
Elvey,	Johnson, R. P.,	O'Dell,	Weidner,
Eshback,	Jones,	O'Donnell, J. A.,	Welsh,
Eshleman,	Kamyk,	Odoristo,	Wescott,
Esler,	Kelser,	Parlante,	Willard,
Ewing,	Kelly,	Pashley,	Willaredt,
Farabaugh,	Kernaghan,	Perry,	Williams, A. D.,
Fetterolf,	Kessler,	Petrosky,	Williams, E. S.,
Filo,	King,	Piper,	Yetter,
Fineman,	Kistler,	Polaski,	Wilt,
Flynn,	Klein,	Polen,	Wood,
Foerster,	Knecht,	Prendergast,	Worley,
Foor,	Kooker,	Price,	Wynd,
Fox,	Kornick,	Pursley,	Zember,
Frascella,	Korns,	Reibman,	Zimmerman,
Fry,	Kramer,	Reidenbach,	Andrews,
Fulmer,	Lawson,	Renwick,	Speaker

NAYS—0

NOT VOTING—19

Boies,	Gibb,	Mihm,	Sullivan, J. A.,
Bonner,	Hankins,	Murray,	Tomascik,
Cianfrani,	Lamb,	O'Donnell, J. P.,	Walsh,
Dengler,	Long, Wm. Jas.,	Ogilvie,	Whittaker,
Down,	May,	Snare,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate bill No. 509, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code" prohibiting the use of railroad railway elevated railway for purchase of firearms and subway passenger station facilities by loiterers.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—192

Adams,	George,	Leonard,	Royer,
Anderson, J. H.	Gibb,	Limper,	Rubin,
Anderson, S. A.,	Gibbons,	Lippincott,	Rudisill,
Arlene,	Goldstein, J. H.,	Long, Wm. Jos.,	Rutherford,
Ashton,	Goldstein, M. H.,	Lutty,	Sakulsky,
Auker,	Goodrich,	Magee,	Scarcelli,
Bachman	Gramlich,	Manbeck,	Schaaf,
Backenstoe,	Gray,	Markley,	Schuster,
Blair,	Greenlee,	Marsh,	Seltzer,
Bower,	Gremminger,	Maxwell,	Shekon,
Bowman,	Gross,	May,	Sherman,
Branca,	Guesman,	McCandless,	Shupnik,
Breth,	Guthrie,	McCann,	Simmons,
Buchanan,	Hamilton,	McDevitt,	Slack,
Bush,	Hartley,	McDonald	Stank,
Capano,	Haudenschild,	McInroy,	Steckel,
Capitolo,	Heavey,	McKeever,	Stimmel,

Cauley,	Heffner,	McLaughlin,	Stiteler,
Cioffi,	Helm,	McNally,	Stone,
Clarke,	Henzel,	Meholchick,	Strausser,
Comer,	Hocker,	Merry,	Sullivan, J. A.,
Cooley,	Holl,	Miller,	Sullivan, T. F.,
Crossin,	Holliday,	Mills,	Taylor,
Curwood,	Holman,	Monroe,	Thompson,
Davis,	Horst,	Mooley,	Tomasck,
Dennison,	Irvis,	Mullen,	Tompkins,
Donaldson,	Isaacs,	Munley,	Trusio,
Dougherty,	Jenkins,	Murphy,	Ujobai,
Doughten,	Jim,	Musto,	Varner,
Edwards,	Johnson, A. W.,	Needham,	Verona,
Ellberg,	Johnson, R. P.,	O'Dell,	Wall,
Elvey,	Jones,	O'Donnell, J. A.,	Walsh,
Eshleman,	Kamyk,	Odorisio,	Wargo,
Esler,	Kelser,	Parlante,	Weidner,
Ewing,	Kelly,	Pashley,	Welsh,
Farabaugh,	Kernaghan,	Perry,	Wescott,
Fetterolf,	Kessler,	Petrosky,	Whittaker,
Filo,	King,	Piper,	Willard,
Flynn,	Kistler,	Polaski,	Williams, A. D.,
Foerster,	Klein,	Polen,	Williams, E. S.,
Foor,	Knecht,	Prendergast,	Wood,
Fox,	Kooker,	Price,	Worley,
Frascella,	Kornick,	Pursley,	Wynd,
Fry,	Korns,	Reibman,	Yetter,
Fulmer,	Kramer,	Reidenbach,	Zimmerman,
Galley,	Lawson,	Renwick,	Andrews,
Gallagher,	Lee, A. M.,	Riley,	
Gelfand,	Lee, K. B.,	Rovansek,	

Speaker

NAYS—0

NOT VOTING—18

Boies,	Down,	Long, Wm. Jas.,	O'Donnell, J. P.,
Bonner,	Eshback,	McCormack,	Ogilvie,
Bossert,	Fineman,	Mihm,	Snare,
Cianfrani,	Hankins,	Murray,	Wilt,
Dengler,	Lamb,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate bill No. 529, entitled:

An Act amending the act of December 27, 1951 (P. L. 1742), entitled as amended "The Realty Transfer Tax Act" excluding from taxation transfers of property between divorced spouses.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—180

Adams,	Gibb,	Limper,	Riley,
Anderson, J. H.,	Gibbons,	Lippincott,	Rovansek,
Anderson, S. A.,	Goldstein, J. H.,	Long, Wm. Jos.,	Royer,
Arlene,	Goldstein, M. H.,	Lutty,	Rubin,
Auker,	Goodrich,	Magee,	Rudisill,
Bachman,	Gramlich,	Manbeck,	Sakulsky,
Backenstoe,	Gray,	Markley,	Scarcelli,
Blair,	Greenlee,	Marsh,	Schaaf,
Bossert,	Gremminger,	Maxwell,	Schuster,
Bower,	Guesman,	May,	Seltzer,
Bowman,	Guthrie,	McCandless,	Shelton,
Branca,	Hamilton,	McCormack,	Sherman,
Breth,	Hartley,	McDonald,	Shupnik,
Buchanan,	Haudenshield,	McDevitt,	Simmons,
Bush,	Heavey,	McInroy,	Stank,
Capano,	Heffner,	McKeever,	Steckel,
Capitolo,	Helm,	McLaughlin,	Stimmel,

Cauley,	Henzel,	McNally,	Stone,
Cioffi,	Holl,	Meholchick,	Strausser,
Clarke,	Holliday,	Merry,	Sullivan, J. A.,
Comer,	Holman,	Miller,	Sullivan, T. F.,
Cooley,	Horst,	Mills,	Taylor,
Crossin,	Irvis,	Monroe,	Thompson,
Curwood,	Isaacs,	Morley,	Tomasck,
Dennison,	Jenkins,	Mullen,	Tompkins,
Dougherty,	Jim,	Munley,	Trusio,
Doughten,	Johnson, A. W.,	Murphy,	Ujobai,
Edwards,	Johnson, R. P.,	Musto,	Varner,
Ellberg,	Jones,	Needham,	Verona,
Elvey,	Kamyk,	O'Dell,	Wall,
Eshback,	Kelser,	O'Donnell, J. A.,	Wargo,
Esler,	Kelly,	Odorisio,	Weidner,
Ewing,	Kernaghan,	Parlante,	Welsh,
Farabaugh,	Kessler,	Pashley,	Wescott,
Fetterolf,	King,	Perry,	Whittaker,
Flynn,	Kistler,	Petrosky,	Willard,
Foor,	Klein,	Piper,	Willardt,
Fox,	Knecht,	Polaski,	Williams, A. D.,
Frascella,	Kooker,	Polen,	Williams, E. S.,
Fry,	Kornick,	Prendergast,	Wilt,
Galley,	Kramer,	Price,	Wynd,
Gallagher,	Lawson,	Pursley,	Yetter,
Gelfand,	Lee, A. M.,	Reibman,	Zember,
George,	Lee, K. B.,	Reidenbach,	Zimmerman,
	Leonard,	Renwick,	Andrews,

Speaker

NAYS—12

Ashton,	Gross,	Rutherford,	Walsh,
Davis,	Hocker,	Slack,	Wood,
Eshleman,	Korns,	Stiteler,	Worley,

NOT VOTING—18

Boies,	Donaldson,	Fulmer,	Mihm,
Bonner,	Down,	Hankins,	Murray,
Cianfrani,	Filo,	Lamb,	O'Donnell, J. P.,
Dengler,	Fineman,	Long, Wm. Jas.,	Ogilvie,
		McCann,	Snare,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate bill No. 589, entitled:

An Act amending the act of May 22, 1933 (P. L. 912), entitled "Bakery Law" changing certain definitions further regulating marking and labeling conferring additional powers and duties on the Department of Agriculture and further regulating the sale and importation of bakery products.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—187

Anderson, J. H.,	Goldstein, J. H.,	Long, Wm. Jos.,	Rudisill,
Anderson, S. A.,	Goodrich,	Lutty,	Rutherford,
Arlene,	Gramlich,	Magee,	Sakulsky,
Ashton,	Gray,	Manbeck,	Scarcelli,
Bachman,	Greenlee,	Markley,	Schaaf,
Backenstoe,	Gremminger,	Marsh,	Schuster,
Blair,	Gross,	Maxwell,	Seltzer,
Bossert,	Guesman,	May,	Shelton,
Bowman,	Guthrie,	McCandless,	Sherman,
Breth,	Hamilton,	McCann,	Shupnik,
Buchanan,	Hartley,	McCormack,	Simmons,
Bush,	Haudenshield,	McDevitt,	Slack,
Capano,	Heavey,	McInroy,	Stank,
Cauley,	Heffner,	McKeever,	Steckel,

Cioffi,	Helm,	McLaughlin,	Stimmel,
Clarke,	Henzel,	McNally,	Stiteler,
Comer,	Hocker,	Meholchick,	Stone,
Cooley,	Holl,	Merry,	Strausser,
Crossin,	Holliday,	Miller,	Sullivan, J. A.,
Curwood,	Holman,	Mills,	Sullivan, T. F.,
Davis,	Horst,	Monroe,	Taylor,
Dennison,	Irvis,	Morley,	Thompson,
Donaldson,	Isaacs,	Mullen,	Tomasclik,
Dougherty,	Jenkins,	Munley,	Tompkins,
Doughten,	Jim,	Murphy,	Trusio,
Edwards,	Johnson, A. W.,	Musto,	Ujobai,
Ellberg,	Johnson, R. P.,	Needham,	Varnier,
Elvey,	Jones,	O'Dell,	Verona,
Eshback,	Kamyk,	O'Donnell, J. A.,	Wall,
Eshleman,	Keiser,	Odorisio,	Wargo,
Esler,	Kelly,	Parlante,	Weidner,
Ewing,	Kernaghan,	Pashley,	Welsh,
Farabaugh,	Kessler,	Perry,	Wescott,
Fetterolf,	King,	Petrosky,	Whittaker,
Filo,	Kistler,	Piper,	Willard,
Flynn,	Klein,	Polaski,	Willaredt,
Foor,	Knecht,	Polen,	Williams, A. D.,
Fox,	Kooker,	Prendergast,	Williams, E. S.,
Frascella,	Kornick,	Price,	Wilt,
Fry,	Korns,	Pursley,	Wood,
Fulmer,	Kramer,	Reibman,	Worley,
Galley,	Lawson,	Reidenbach,	Wynd,
Gallagher,	Lee, A. M.,	Renwick,	Zember,
Gelfand,	Lee, K. B.,	Riley,	Zimmerman,
George,	Leonard,	Rovansek,	Yetter,
Gibb,	Limper,	Royer,	Andrews,
Gibbons,	Lippincott,	Rubin,	Speaker

NAYS—4

Adams,	Auker,	Foerster,	Walsh,
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NOT VOTING—19

Boles,	Cianfrani,	Hankins,	Murray,
Bonner,	Dengler,	Lamb,	O'Donnell, J. P.,
Bower,	Down,	Long, Wm. Jas.,	Ogilvie,
Branca,	Fineman,	McDonald	Snare,
Capitolo,	Goldstein, M. H.,	Mihm,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. POLEN asked and obtained permission for the Committee on Appropriations to meet during the session of the House.

Mr. CURWOOD asked and obtained permission for the Committee on Game and Conservation to meet during the session of the House.

ANNOUNCEMENT

Mr. McCANN. Mr. Speaker, the House will convene on Monday at 3 p. m., daylight saving time.

INTERROGATION

Mr. FETTEROLF asked and obtained unanimous consent to interrogate Mr. McCann.

Mr. FETTEROLF. Mr. Speaker, before we took a recess for luncheon and caucus, it was my understanding from the remarks of the majority leader that perhaps when we came back to the floor he would have some definite information as to how many days we would be in session next week and possibly some word as to the schedule for

the following week. Does the gentleman have any information on that at this time?

Mr. McCANN. Mr. Speaker, I did announce before we recessed for caucus, and I am sorry if the gentleman did not hear me, that the House would be in session next week, and I requested that the House consider a four-day session. I cannot guarantee that I will keep the House in session the fourth day if it is humanly possible to complete our work by Wednesday.

The following week hotel facilities are not available on Sunday, Monday and Tuesday. If I recall correctly, the Pennsylvania Police Chiefs Association will be in convention for the first three days, and the earliest the House could be convened that week, if a session were held, would be Wednesday. I hope there will not be a session at all that week as we will try to finish the work next week.

Mr. FETTEROLF. Mr. Speaker, I wonder if it would be possible if the majority leader could instruct the chief clerk, when we have occasions such as this, where there is some doubt as to the length of the session each week, to drop a note of some sort in the intervening time to each member of this House so all of us can get an idea as to whether or not we are going to be in session three, four or five days. I think it is of great importance to the members here, particularly the professional people.

Mr. McCANN. Mr. Speaker, we certainly could do that, I am quite sure, but I might state that we send a letter out from our caucus to every Democratic member, and I was under the impression that you sent a letter to each Republican member, and, furthermore, Mr. Johnson always checks with me as to our program, our plans and everything else. This would be asking the chief clerk to send a letter?

Mr. FETTEROLF. Mr. Speaker, I would say that regardless of how it is done it would be important, because I think the members of this House really want to know how long we are going to be in session.

Mr. McCANN. I certainly will cooperate most heartily. I want to get finished and get out of here as soon as possible the same as you do.

Mr. FETTEROLF. I thank the gentleman.

INTERROGATION

Mr. TOMPKINS asked and obtained unanimous consent to interrogate Mr. McCann.

Mr. TOMPKINS. Mr. Speaker, there was a general complaint in our caucus today that when the members go down to the bill room to get copies of House bill 1836, or Senate bill 867, relating to the educational reorganization plan, either they cannot get them at all or they limit them to one copy. Is there any reason why the members of the House should be denied the privilege of having these bills?

Mr. McCANN. Mr. Speaker, I have not checked this with the chief clerk, but the first people who would be entitled to copies of those bills would be the House and Senate members above everyone else. I realize there will be a great demand for those bills and we certainly will ask Mr. Ominsky, the chief clerk, to have additional copies printed if such be the case, but certainly members should be first to get copies.

Mr. TOMPKINS. I thank the gentleman, Mr. Speaker.

The SPEAKER pro tempore. The chief clerk has in-

formed the Chair that this is the first that this has been called to his attention on these particular bills and he will check into the matter and find out if there is a supply of the bills on hand and, if not, make sure that there will be.

COMMUNICATION

The SPEAKER pro tempore laid before the House a communication from Representative Foor concerning his vote on House bill No. 1781 on June 28, 1961.

The SPEAKER pro tempore. The communication will be noted in today's journal and printed in the journal of June 28, 1961.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 202.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire a tract of land with buildings improvements and antiques and other personal property therein in the Borough of Brownsville Fayette County for preservation care and maintenance as a historical site by the Pennsylvania Historical and Museum Commission.

Referred to the Committee on State Government.

SENATE BILL No. 671.

An Act amending the act of May 1, 1933 (P. L. 103), entitled "The Second Class Township Code" providing for the assessment of the cost of sewer system construction by different methods within the same sewer district and of sewer construction under certain highways by alternative methods and authorizing the payment of costs and lease rentals from general township funds.

Referred to the Committee on Townships.

SENATE BILL No. 687.

An Act amending the act of August 5, 1941 (P. L. 752), entitled "Civil Service Act" providing exceptions to certain provisions of the act when professional and technical positions concerned with the administration of the Public Assistance Law and related statutes are being considered.

Referred to the Committee on State Government.

REPORT FROM COMMITTEE

Mr. GOODRICH from the Committee on Game and Conservation, re-reported as committed, House bill No. 1010, entitled:

An Act amending the "Pennsylvania Public Lands Act" approved July 9, 1959 (P. L. 510), further providing for vacant or unappropriated unimproved land and eliminating the approval of the Water and Resources Board in certain cases.

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL NO. 88

Mr. CIOFFI. Mr. Speaker, I present the report of the Committee of Conference on Senate bill No. 88.

The SPEAKER pro tempore. The report will lie over for printing under the rules.

SENATE MESSAGE

AMENDED HOUSE BILL RECALLED FROM GOVERNOR CONCURRED IN BY SENATE

The clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 828.

An Act amending "The Military Code of 1949" approved May 27, 1949, changing the measure of relief for disability or death of personnel on active duty.

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading on said bill was reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

SENATE MESSAGE

AMENDED HOUSE BILL RECALLED FROM GOVERNOR CONCURRED IN BY SENATE

The clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 987.

An Act authorizing minor spouses to join with their adult spouse in the conveyance or mortgaging of their real estate and to execute bonds or other obligations in connection therewith and validating such actions taken.

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading on said bill was reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

SENATE MESSAGE

AMENDED SENATE BILL CONCURRED IN BY SENATE

The clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows:

SENATE BILL No. 201.

An Act amending the act of June 24, 1937 (P. L. 2017), entitled "County Institution District Law" further regulating the powers and duties of local authorities as to persons in foster homes and as to children and youth and further regulating payments for care.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 616.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), providing for the renewal of provisional college certificates.

HOUSE BILL No. 1206.

An Act amending "The Administrative Code of 1929"

approved April 9, 1929 (P. L. 177), providing that enlisted members of the Pennsylvania State Police shall not be dismissed from service or reduced in rank except by action of a court martial board held upon the recommendation of the Commissioner and the Governor.

HOUSE BILL No. 1207.

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), regulating the dismissal suspension demotion and reenlistment of enlisted members of the Pennsylvania State Police.

SENATE MESSAGE

The clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Amended House bill returned for concurrence No. 67.

REPORTS FROM COMMITTEES

Mr. WOOD from the Committee on Appropriations, reported as amended, House bill No. 137, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission, for the repair and restoration of the Caleb Pusey House, subject to certain conditions.

Mr. WOOD from the Committee on Appropriations, reported as amended, House bill No. 1818, entitled:

An Act amending the "Unemployment Compensation Law" approved December 5, 1936 (1937 P. L. 2897), redefining State and modifying certain provisions as to eligibility of individuals while in training or when permanently separated or when separated from a family enterprise.

BILLS AND RESOLUTIONS PASSED OVER

Mr. McCANN. Mr. Speaker, I request that all other bills and resolutions not acted upon on today's calendar be passed over.

The SPEAKER pro tempore. The Chair hears no objection.

ADJOURNMENT

Mr. J. A. O'DONNELL. Mr. Speaker, I move that this House do now adjourn until Monday, July 24, 1961, at 2 p. m., e. s. t.

The motion was agreed to, and (at 3:39 p. m., e. s. t.) the House adjourned.

Legislative Journal.

Session 1961.

145th of the General Assembly.

Vol. 38.

HARRISBURG, PA., MONDAY, JULY 24, 1961.

No. 80.

SENATE

MONDAY, JULY 24, 1961

The Senate met at 2:30 p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant Governor John Morgan Davis) in the Chair.

PRAYER

The Chaplain, Rev. WILLIAM H. STEBBINS, Pastor of Trinity Memorial Lutheran Church, Allentown, offered the following prayer:

Our Father, in heaven, give us the faith to believe that the words now spoken, and the yearnings of our hearts, are heard and understood in Thy presence.

We, the Members and servants of this Senate, join together our prayers for Thy blessing, Thy guidance, and Thy help that we may do what is best for the people of this Commonwealth, and what is right in Thy sight.

O God, give to us, Thy servants, the will to work together as a team for the welfare of all our people. Give us courage to withstand the pressures of life in a confused and complex world. Give to the people of this State and Nation the vision to see that sacrifice must be shared by all, that there is no substitute for hard work, and no joy in undeserved reward. May we fear nothing except the fact that we fail so often to do those things that are well pleasing in Thy sight.

Bless us, guide us, and direct us, O God, in the name of our Lord and Savior, Jesus Christ. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WEINER and Mr. LANE, further reading was dispensed with, and the Journal was approved.

COMMUNICATIONS FROM THE GOVERNOR

APPROVAL OF SENATE CONCURRENT RESOLUTION

The Secretary to the Governor being introduced, presented communication in writing from his Excellency, the Governor, advising that Senate Concurrent Resolution, recalling from the Governor **SB 114**, had been approved and signed by the Governor, which communication and bill were laid on the table.

APPROVAL OF SENATE BILLS

He also presented communications in writing from His Excellency, the Governor, advising that the following Senate Bills had been approved and signed by the Governor:

SB 180, 219, 295, 437, 539, 540 and 552.

NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

MEMBERS OF THE BOARD OF TRUSTEES OF PHILIPSBURG STATE HOSPITAL

July 24, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Philipsburg State Hospital:

W. Carl Lupton, Philipsburg, Centre County, until the third Tuesday of January 1965, and until his successor is appointed and qualified.

Mrs. Lucy Merrell, Philipsburg, Centre County, until the third Tuesday of January 1965, and until her successor is appointed and qualified.

Thaddeus S. Wayne, Chester Hill, Clearfield County, until the third Tuesday of January 1967, and until his successor is appointed and qualified.

Mrs. Harriet Thompson, 911 Presqueisle Street, Philipsburg, Centre County, until the Third Tuesday of January 1967, and until her successor is appointed and qualified.

Miles Clevensine, R. D., Bellefonte, Centre County, until the third Tuesday of January 1967, and until his successor is appointed and qualified.

DAVID L. LAWRENCE

MEMBER OF THE BOARD OF TRUSTEES OF EASTERN PENNSYLVANIA PSYCHIATRIC INSTITUTE

July 24, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate William F. Kelly, 505 Rose Lane, Havertown, Delaware County, for appointment as a member of the Board of Trustees of Eastern Pennsylvania Psychiatric Institute, until May 13, 1964, and until his successor shall have been appointed and qualified, vice Percival E. Foerderer, Bryn Mawr, resigned.

DAVID L. LAWRENCE

MEMBER OF THE DELAWARE RIVER PORT
AUTHORITY

July 24, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Joseph J. Gaffigan, 6306 Crafton Street, Philadelphia 49, Philadelphia County, for appointment as a member of the Delaware River Port Authority, for a term of five years, and until his successor is appointed and qualifies, vice Hon. Joseph S. Lord, Philadelphia, resigned.

DAVID L. LAWRENCE

MEMBER OF THE DELAWARE RIVER PORT
AUTHORITY

July 24, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Frederic R. Mann, Parkway House, Twenty-second and Benjamin Franklin Parkway, Philadelphia, Philadelphia County, for appointment as a member of the Delaware River Port Authority, for a term of five years, and until his successor is appointed and qualifies, vice Hon. James V. Baney, Upper Darby, deceased.

DAVID L. LAWRENCE

MEMBER OF THE BOARD OF TRUSTEES OF
LAURELTON STATE VILLAGE

July 24, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Regie D. Thompson, Millheim, Centre County, for reappointment as a member of the Board of Trustees of Laurelton State Village, until the third Tuesday of January 1963, and until her successor is appointed and qualified.

DAVID L. LAWRENCE

MEMBER OF THE BOARD OF TRUSTEES OF
THE PENNSYLVANIA STATE UNIVERSITY

July 24, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mary Jane Wyland, 251 West Park Avenue, State College, Centre County, for reappointment as a member of the Board of Trustees of The Pennsylvania State University, until July 1, 1964, and until her successor shall have been appointed and qualified.

DAVID L. LAWRENCE

JUSTICE OF THE PEACE

July 24, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate George J. Lacko, 1137 Crowe Street, New Castle, Lawrence County, for appointment as Justice of the Peace in and for the Township of Shenango, Lawrence County, to serve until the first Monday of January 1962, vice Frank Park, resigned.

DAVID L. LAWRENCE

JUSTICE OF THE PEACE

July 24, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Miss Armenda Hoover, R. D. 4, New Castle, Lawrence County, for appointment as Justice of the Peace in and for the Township of Scott, Lawrence County, to serve until the first Monday of January 1962, vice James H. Vogan, deceased.

DAVID L. LAWRENCE

MEMBER OF THE TIOGA COUNTY BOARD OF
ASSISTANCE

July 24, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Oscar M. Lutes (Democrat), Sullivan Street, Mansfield, Tioga County, for appointment as a member of the Tioga County Board of Assistance, until December 31, 1962, and until his successor is duly appointed and qualified, vice Mrs. Madelyn Weidman, Westfield, resigned.

DAVID L. LAWRENCE

MEMBER OF THE NORTHUMBERLAND COUNTY
BOARD OF ASSISTANCE

July 24, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Leon J. Konjura (Democrat), 914 East Race Street, Shamokin, Northumberland County, for appointment as a member of the Northumberland County Board of Assistance, until December 31, 1961, and until his successor is duly appointed and qualified, vice John J. Strausser, Shamokin, resigned.

DAVID L. LAWRENCE

HOUSE MESSAGES

HOUSE NONCONCURS IN SENATE AMENDMENTS
TO HOUSE BILL

The Clerk of the House of Representatives being introduced, informed the Senate that the House has nonconcurring in amendments made by the Senate to **HB 53**.

The PRESIDENT. This communication, together with the bill, will be laid on the table.

SENATE BILLS RETURNED WITH AMENDMENTS

He also returned to the Senate, **SB 192, 508, 509, 529** and **589**, with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bills, as amended, will be placed on the Calendar.

HOUSE CONCURS IN SENATE BILLS

He also returned to the Senate, **SB 527, 674, 684, 701, 735, 746, 747, 757** and **760**, with the information that the House has passed the same without amendments.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence **HB 720**, which was referred to the Committee on Labor and Industry.

He also presented for concurrence **HB 1001**, which was referred to the Committee on Finance.

He also presented for concurrence **HB 1343**, which was referred to the Committee on Highways.

BILLS INTRODUCED AND REFERRED

Messrs. VAN SANT, WADE and MURRAY presented to the Chair **SB 874**, entitled:

An Act authorizing certain domestic stock insurance companies to issue stock having a par value of not less than one dollar per share, and validating certain stock which any such corporation may heretofore have been authorized to issue or issued.

Which was committed to the Committee on Insurance.

Mesrs. EHRGOOD and WEINER presented to the Chair **SB 875**, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Adjutant General, to sell and convey real property, situate in the City of Lebanon, Lebanon County to County Commissioners of Lebanon County.

Which was committed to the Committee on State Government.

Mr. SEYLER presented to the Chair **SB 876**, entitled:

An Act amending the act of July 15, 1957 (P. L. 901), entitled "Optional Third Class City Charter Law," to permit cities adopting an optional charter plan under said act to provide for the hearing of appeals from assessments and the revision thereof by an administrative procedure.

Which was committed to the Committee on Local Government.

He also presented to the Chair **SB 877**, entitled:

An Act amending the act of July 15, 1957 (P. L. 901), entitled "Optional Third Class City Charter Law," permitting cities adopting an optional charter plan to establish a city court not of record to hear proceedings involving violations of city ordinances.

Which was committed to the Committee on Local Government.

Mr. MULLIN presented to the Chair **SB 878**, entitled:

An Act amending the act of June 15, 1961 (Act No. 207), entitled "Inheritance and Estate Tax Act of 1961," changing the rate of tax.

Which was committed to the Committee on Finance.

PERMISSION TO ADDRESS SENATE

Mr. PECHAN asked and obtained unanimous consent to address the Senate.

Mr. PECHAN. Mr. President, the introduction of this bill reverts back to a committee investigation which we held of the Department of Welfare, some two years ago. At that time, it developed that the Department of Welfare was mailing relief checks to Florida, to recipients on relief who were vacationing in Florida. I think at that time, there were some 100 of them to whom checks were being mailed out by the Commonwealth.

Mr. President, I hope this bill which I am about to introduce will correct that situation.

While I am on my feet and speaking about the Department of Public Welfare, I would like to state that early in

February, of this year, I introduced a bill which would require that any home which houses more than two illegitimate children would be declared unsuitable, and it would provide that these children be sent to foster homes by the Commonwealth.

I introduced a similar bill two years ago. It passed the Senate unanimously by a vote of 50-0. I have talked to the Chairman of this Committee and have tried to arrange for the bill to be reported from committee. I am hoping that he will take some action because it will remedy some very, very sad situations which exist in the Commonwealth. Some of the mothers have as many as ten or eleven illegitimate children, and I do not think that kind of a home is a suitable one in which to raise these children.

BILL INTRODUCED AND REFERRED

Mr. PECHAN presented to the Chair **SB 879**, entitled:

An Act amending the act of June 24, 1937 (P. L. 2051), entitled as amended, "Public Assistance Law," prohibiting the sending of assistance checks outside the Commonwealth in certain cases.

Which was committed to the Committee on Public Health and Welfare.

REPORT OF COMMITTEE OF CONFERENCE

Mr. LANE submitted the Report of the Committee of Conference on **SB 88**, which was placed on the Calendar.

RECESS

Mr. WEINER. Mr. President, I request a five minute recess of the Senate for the purpose of holding a meeting of the Committee on Corporations, to be held in Room 302.

The PRESIDENT. Are there any objections? The Chair hears no objection, and declares a five minute recess of the Senate.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

GUESTS OF SENATOR GEORGE N. WADE PRESENTED TO SENATE

Mr. WADE. Mr. President, I would like the opportunity of introducing a special guest who is with us today.

The PRESIDENT. Senator Wade, I cannot hear a word you are saying. Unless the visitors find seats, we will have to clear the Senate Chamber.

You may now proceed, Senator Wade.

Mr. WADE. Mr. President, I would like the opportunity of introducing a special guest who is with us today in the Senate. He is Carlos DeWever, of Antwerp, Belgium. He is a summer guest of the Rotary Club of Mechanicsburg, Cumberland County, Pennsylvania, under an experiment in International Living.

Mr. DeWever is accompanied by Mr. Stanley Nailor, his wife and their young son, Michael. They are seated here to the left of the rostrum.

I would appreciate it, Mr. President, if you would extend the official welcome of the Senate to Carlos DeWever.

The PRESIDENT. Will the gentleman please stand up? The Senate will greet the gentleman from Antwerp, Belgium.

On behalf of the Senate, the Chair is very happy to have

you here. When I mentioned the fact that we were about to clear the Senate of visitors, I did not include you among them.

We are very glad to have you with us.

BILL INTRODUCED AND REFERRED

Messrs. SILVERT WEINER and RIPP presented to the Chair **SB 880**, entitled:

An Act amending the act of August 16, 1951 (P. L. 1236), entitled "An act authorizing the Supreme Court and the Superior Court to appoint and fix the compensation of reporters of their decisions and assistants and employees; and repealing certain acts," removing the limitation on the salary of reporters.

Which was committed to the Committee on Judiciary General.

REPORT FROM COMMITTEE

Mr. DONOLOW, by unanimous consent, from the Committee on Corporations, reported, as amended, **HB 36**.

SB 114, RECALLED FROM THE GOVERNOR, TAKEN FROM THE TABLE

SB 114 (Pr. No. 894)—Without objection, Mr. LANE called from the table Senate Bill No. 114, which was recalled from the Governor for the purpose of amendment.

RECONSIDERATION OF SB 114

Mr. LANE. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 114, Printer's No. 894, passed finally on July 7, 1961.

The PRESIDENT. How did the Senator vote?

Mr. LANE. Mr. President, I voted with the prevailing side.

Mr. MCGINNIS. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. MCGINNIS. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. LANE. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. LANE. Mr. President, I voted with the prevailing side.

Mr. MCGINNIS. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. MCGINNIS. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. LANE, by unanimous consent, offered the following amendments:

Amend Sec. 1 (Sec. 63), page 5, line 16, by striking out "prior to January 1 1961 or" and inserting: and

Amend Sec. 1 (Sec. 63), page 5, line 19, by inserting after "lake": or water to which the fishing lake has riparian rights

On the question,

Will the Senate agree to the amendments?

They were agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. Lane.

The PRESIDENT. The bill, as amended, will appear on tomorrow's Third Reading Calendar.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS, OVER IN ORDER

SB 312—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILLS ON CONCURRENCE IN HOUSE AMENDMENTS

SB 472 (Pr. No. 1068)—Mr. WEINER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 472.

Mr. LANE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SB 525 (Pr. No. 1022)—Mr. WEINER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 525.

Mr. LANE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

(During the calling of the roll, the following occurred:)

Mr. SEYLER. Mr. President, I desire to be recorded as voting "no."

The PRESIDENT. The gentleman will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bell,	Hays,	Miller,	Stalsey,
Berger,	Kalman,	Mullin,	Stevenson,
Camiel,	Keller,	Murray,	Stiefel,
Chapman,	Kessler,	Pechan,	Stroup,
Confair,	Kromer,	Propert,	Taylor,
Devlin,	Lane,	Ripp,	Van Sant,
DiSilvestro,	Madigan,	Rooney,	Wade,
Donolow,	Mahady,	Sarraf,	Wagner,
Ehrgood,	Mallery,	Scott,	Ware, III,
Flack,	McCreesh,	Sesler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,			

NAYS—1

Seyler,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SB 592 (Pr. No. 1054)—Mr. WEINER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 592.

Mr. LANE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

(During the calling of the roll, the following occurred:)

Mr. BELL. Mr. President, having voted under a misapprehension, I desire to change my vote from "aye" to "no."

The PRESIDENT. The gentleman will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40

Berger,	Hawbaker,	McMenamin,	Seyler,
Camiel,	Hays,	Miller,	Silvert,
Chapman,	Kalman,	Mullin,	Stalsey,
Confair,	Keller,	Murray,	Stevenson,
Devlin,	Lane,	Propert,	Stiefel,
DiSilvestro,	Madigan,	Ripp,	Van Sant,
Donolow,	Mahady,	Rooney,	Ware, III,
Flack,	Mallery,	Sarraf,	Weiner,
Fleming,	McCreesh,	Scott,	Wolfe,
Haluska,	McGinnis,	Sesler,	Yatron,

NAYS—9

Bell,	Kromer,	Stroup,	Wade,
Ehrgood,	Pechan,	Taylor,	Wagner,
Kessler,			

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SB 663 (Pr. No. 969)—Mr. WEINER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 663.

Mr. LANE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SB 693 (Pr. No. 1024)—Mr. WEINER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 693.

Mr. LANE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

FINAL PASSAGE CALENDAR

BILL ON FINAL PASSAGE DEFEATED

SB 493 (Pr. No. 544)—On the question,

Shall the bill pass finally?

Mr. FLEMING. Mr. President, this bill failed of Final Passage some time ago, and then was brought back on the Calendar. Particularly for the benefit of my colleagues from Allegheny County, I want to say there is nothing of a political nature in this bill. It brings into line the First Class Township Code with that of the cities and boroughs. It permits the court, on proper petition of the Board of Elections, to redistrict the wards.

This is certainly in keeping with good legislation. It will permit many inequities in many first class townships to be corrected. It will permit the court, with the acquiescence of the Election Bureau of the particular county involved, to correct situations such as this, where one ward might have 200 registered voters in it and another ward might have 3,500 in it. I certainly believe we would all agree this type of thing should be corrected. It can be corrected at the present time in boroughs and cities, and it certainly should be able to be corrected in first class townships.

Mr. President, I would urge my colleagues on the other side to put aside partisanship in this matter and vote for that which is in the interest of good government.

And the question recurring,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. HAYS. Mr. President, may we be at ease a moment? The PRESIDENT. The Senate will be at ease.

The Senate was at ease.)

Mr. STIEFEL. Mr. President, having voted under a misapprehension, I desire to cast my vote in the negative.

The PRESIDENT. The gentleman will be so recorded.

Mr. MCGINNIS. Mr. President, I desire to change my vote from "aye" to "no."

The PRESIDENT. The gentleman will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—25

Bell,	Hawbaker,	Pechan,	Taylor,
Berger,	Keller,	Probert,	Van Sant,
Chapman,	Kessler,	Scott,	Wade,
Confair,	Kromer,	Shafer,	Wagner,
Ehrgood,	Madigan,	Stevenson,	Ware, III,
Flack,	Mallery,	Stroup,	Wolfe,
Fleming,			

NAYS—21

Camiel,	Mahady,	Murray,	Silvert,
Devlin,	McCreesh,	Ripp,	Stalsey,
DiSilvestro,	McGinnis,	Rooney,	Stiefel,
Donolow,	McMenamin,	Sarrafa,	Weimer,
Hays,	Mullin,	Seyler,	Yatron,
Lane,			

Less than a majority of all the Senators having voted "aye," the question was determined in the negative, and the bill was defeated.

BILLS OVER IN ORDER

HB 1082—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

HB 1140—Without objection, the bill was passed over in its order at the request of Mr. RIPP.

HB 1241—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

RECONSIDERATION OF VOTE

HB 1367 (Pr. No. 2402)—On the question, Shall the bill pass finally?

Mr. WEINER. Mr. President, I move to reconsider the vote by which this bill passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. WEINER. Mr. President, I voted with the prevailing side.

Mr. DEVLIN. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. DEVLIN. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. WEINER, by unanimous consent, offered the following amendments:

Amend Sec. 1 (Sec. 15), page 2, line 15, by striking out "ONE HUNDRED" and inserting: fifty

Amend Sec. 1 (Sec. 15), page 2, line 16, by striking out "THREE HUNDRED" and inserting: two hundred

Amend Sec. 1 (Sec. 15), page 3, line 4, by striking out "THREE HUNDRED" and inserting: one hundred

Amend Sec. 1 (Sec. 15), page 3, line 5, by striking out "FIVE HUNDRED" and inserting: four hundred

Amend Sec. 1 (Sec. 15), page 3, line 10, by striking out "ONE THOUSAND" and inserting: six hundred

Amend Sec. 2 (Sec. 15.1), page 5, lines 2 to 9, by striking out all of said lines.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. WEINER.

BILL OVER IN ORDER

HB 1450—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

THIRD READING CALENDAR

APPROPRIATION BILLS ON THIRD READING AND FINAL PASSAGE

SB 584 (Pr. No. 661)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41

Bell,	Haluska,	Mullin,	Stevenson,
Berger,	Hawbaker,	Murray,	Stiefel,
Camiel,	Kalman,	Pechan,	Stroup,
Chapman,	Keller,	Ripp,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarrafa,	Wagner,
DiSilvestro,	Mallery,	Scott,	Ware, III,
Donolow,	McCreesh,	Sesler,	Weimer,
Ehrgood,	McGinnis,	Shafer,	Wolfe,
Flack,	McMenamin,	Stalsey,	Yatron,
Fleming,			

NAYS—8

Hays,	Kromer,	Probert,	Silvert,
Kessler,	Mahady,	Seyler,	Wade,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, that the clerk present said bill to the House of Representatives for concurrence.

SB 586 (Pr. No. 1105)—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. LANE. Mr. President, I think I should probably explain in detail the subject matter contained in Senate bill No. 586. For the information of the Membership of the Senate, this is one of a series of bills which our Joint Committee on Unemployment has recommended be enacted into law. You will note that the sponsors of this bill are bipartisan, the same as the sponsorship on Senate bill No. 584.

Mr. President, we are trying to give to the Department of Commerce, and the Pennsylvania Industrial Development Authority, the right to use the sum of \$50,000 for the purpose of technical research. I might say that I imagine the P. I. D. A., which will have control of this fund, will use the money intelligently. The membership of the committee feels this is a very important question, this question of technical research. Although the appropriation is small, we are hoping that when the distressed area legislation is adopted in detail and we receive some State moneys, we might also be able to utilize some of those funds.

Mr. President, I believe this is a very important piece of legislation, and I think the time has come when the government of Pennsylvania must get into this field of technical research if we are going to alleviate any of the unemployment which exists in Pennsylvania at the present time.

Therefore, Mr. President, I would ask the Membership on both sides to give their support to this piece of legislation.

Mr. McMENAMIN. Mr. President, it is very unusual that

I find myself in disagreement with my friend and distinguished colleague from Washington County, Senator Lane. However, I do have to say, Mr. President and Members of the Senate, that I can see voting appropriations to some of our higher educational institutions, such as Penn State, for various forms of technical research. I do not think we are yet ready in this State to give money to the Department of Commerce to spend as they will—public money apparently going into private industry. Therefore, I will have to vote “no” on this bill.

Mr. LANE. Mr. President, I think this is only the second time in my lifetime that Senator McMenamin and I have disagreed.

I might say, Mr. President, that the Department of Commerce is a part of the government of Pennsylvania. I feel the Department of Commerce and the Pennsylvania Industrial Development Authority will comply with the laws of the Commonwealth, and I do not believe this money will be spent for any private enterprise purpose.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—28

Berger,	Flack,	Murray,	Stiefel,
Camiel,	Kalman,	Pechan,	Stroup,
Chapman,	Lane,	Ripp,	Van Sant,
Confair,	Mahady,	Rooney,	Wagner,
Devlin,	McCreesh,	Sarraf,	Weiner,
DiSilvestro,	McGinnis,	Scott,	Wolfe,
Donolow,	Mullin,	Stevenson,	Yatron,

NAYS—17

Bell,	Kessler,	McMenamin,	Silvert,
Ehrgood,	Kromer,	Propert,	Staisey,
Hawbaker,	Madigan,	Seyler,	Wade,
Hays,	Mallery,	Shafer,	Ware, III,
Keller,			

A majority of all the Senators having voted “aye,” the question was determined in the affirmative.

Ordered, that the clerk present said bill to the House of Representatives for concurrence.

HB 761 (Pr. No. 834)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted “aye,” the question was determined in the affirmative.

Ordered, that the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 769 (Pr. No. 842)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted “aye,” the question was determined in the affirmative.

Ordered, that the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 799 (Pr. No. 2471)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted “aye,” the question was determined in the affirmative.

Ordered, that the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

APPROPRIATION BILL OVER IN ORDER

HB 802—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

APPROPRIATION BILLS ON THIRD READING AND FINAL PASSAGE

HB 805 (Pr. No. 878)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarrafa,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, that the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 806 (Pr. No. 879)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarrafa,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, that the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 1193 (Pr. No. 1365)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarrafa,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, that the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 1194 (Pr. No. 1366)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarrafa,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, that the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 1195 (Pr. No. 1367)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarrafa,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, that the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 1196 (Pr. No. 1368)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarra,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, that the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

RECONSIDERATION OF HB 1307

Mr. ROONEY. Mr. President, I move that the Senate do now reconsider the vote by which House bill No. 1307, printer's No. 2394, failed of final passage on July 18, 1961.

The PRESIDENT. How did the Senator vote?

Mr. ROONEY. Mr. President, I voted with the prevailing side.

Mr. FLACK. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. FLACK. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Without objection, the bill was passed over in its order at the request of Mr. ROONEY.

The PRESIDENT. This bill will appear on tomorrow's Final Passage Calendar.

BILLS SIGNED

The President (Lieutenant Governor John Morgan Davis) in the presence of the Senate signed the following bills:

SB 201, 527, 674, 684, 701, 735, 746, 747, 757, 760, HB 943, 1494, 1495, 1540 and 1644.

The PRESIDENT. At this time, the Chair turns the gavel over to the gentleman from Northampton, Senator Rooney, to preside.

The PRESIDING OFFICER (Fred B. Rooney) in the Chair.

BILLS INTRODUCED AND REFERRED

Mr. SILVERT, by unanimous consent, presented to the Chair **SB 881**, entitled:

An Act amending the act of April 4, 1925 (P. L. 127), entitled "Adoption Law," clarifying provisions of existing law relating to the filing of foreign adoption records.

Which was committed to the Committee on Judiciary General.

Messrs. RIPP, WEINER, LANE and EHRGOOD, by unanimous consent, presented to the Chair **SB 882**, entitled:

An Act amending the act of December 3, 1959 (P. L.

1688), entitled "Housing Agency Law," clarifying and supplementing provisions of existing law relating to the financing of cooperatively-owned housing; changing the terms of housing loans for elderly persons, modifying the reserve requirements for outstanding Agency bonds and placing the Agency's report to the Legislature on an annual basis.

Which was committed to the Committee on State Government.

THIRD READING CALENDAR

APPROPRIATION BILL ON THIRD READING AND FINAL PASSAGE

HB 1197 (Pr. No. 1369)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Ripp,	Van Sant,
Devlin,	Lane,	Sarra,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Rooney,
Hawbaker,	Miller,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, that the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

APPROPRIATION BILL OVER IN ORDER

HB 1198—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

APPROPRIATION BILL ON THIRD READING AND FINAL PASSAGE

HB 1199 (Pr. No. 1371)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Ripp,	Van Sant,
Devlin,	Lane,	Sarra,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Rooney,
Hawbaker,	Miller,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, that the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

SB 23—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

HB 57—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

HB 95 and 161—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

BILL ON THIRD READING AND FINAL PASSAGE

SB 196 (Pr. No. 1110)—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Bell,	Hawbaker,	McMenamin,	Stevenson,
Berger,	Hays,	Mullin,	Stiefel,
Camiel,	Kalman,	Murray,	Stroup,
Chapman,	Keller,	Pechan,	Taylor,
Confair,	Kessler,	Ripp,	Van Sant,
Devlin,	Kromer,	Sarraf,	Wagner,
DiSilvestro,	Lane,	Scott,	Ware, III,
Donolow,	Mahady,	Sesler,	Weiner,
Ehrgood,	Mallery,	Seyler,	Wolfe,
Fleming,	McCreesh,	Shafer,	Yatron,
Haluska,	McGinnis,	Silvert,	Rooney,
		Staisey,	Presiding Officer

NAYS—3

Madigan,	Propert,	Wade,
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A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, that the clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING AMENDED

SB 225 (Pr. No. 233)—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Messrs. MURRAY and WAGNER, by unanimous consent, offered the following amendments:

Amend Title, page 1, next to last line of Title, by inserting after "thereto": further defining contributory service and

Amend Sec. 1, page 2, line 1, by striking out "Subsection (6) of Section 302" and inserting: Clause (5) of section 205

Amend Bill, page 2, by inserting between lines 3 and 4:

Section 205 Contributory Service—Contributory service shall consist of service subsequent to June 30 1919 on account of which the contributions required under this act to secure credit for such service are held to the credit of the contributor in the employees' annuity savings account Such service shall consist of

(5) Periods of approved leaves of absence for

which the member has made contributions according to the provisions of section 209 of this article or according to the provisions of article V section 522.1 of the "Public School Code of 1949"

* * *

Section 2 Subsection (6) of section 302 of the act is amended to read:

Amend Sec. 1 (Sec. 302), page 2, lines 17 and 18, by striking out "1963 or within three (3) years after termination" in line 17, all of line 18, and inserting: 1962

On the question,

Will the Senate agree to the amendments?

They were agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. MURRAY.

BILLS OVER IN ORDER

SB 238 and 260—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

BILL ON THIRD READING AND FINAL PASSAGE

HB 300 (Pr. No. 329)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Ripp,	Van Sant,
Devlin,	Lane,	Sarraf,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Wolfe,
Flack,	McCreesh,	Shafer,	Weiner,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Staisey,	Rooney,
Hawbaker,	Miller,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, that the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

SB 351—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

SB 353—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

SB 646, 688, 690, 769 and 811—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

BILL ON THIRD READING AND FINAL PASSAGE

SB 852 (Pr. No. 1065)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bell,	Hays,	Mullin,	Stiefel,
Berger,	Kalman,	Pechan,	Stroup,
Camiel,	Keller,	Propert,	Taylor,
Chapman,	Kessler,	Ripp,	Van Sant,
Confair,	Kromer,	Sarraf,	Wade,
Devlin,	Lane,	Scott,	Wagner,
DiSilvestro,	Madigan,	Sesler,	Ware, III,
Donolow,	Mahady,	Seyler,	Weiner,
Ehrgood,	Mallery,	Shafer,	Wolfe,
Flack,	McCreesh,	Silvert,	Yatron,
Fleming,	McGinnis,	Stalsey,	Rooney,
Haluska,	Miller,	Stevenson,	Presiding Officer
Hawbaker,			

NAYS—2

McMenamin,	Murray,
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A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, that the clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

SB 858—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILL ON THIRD READING, DEFEATED ON FINAL PASSAGE

HB 884 (Pr. No. 973)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. WEINER. Mr. President, may we be at ease a moment?

The PRESIDING OFFICER. The Senate will be at ease.

(The Senate was at ease.)

Mr. KALMAN. Mr. President, I desire to be recorded as voting "aye."

The PRESIDING OFFICER. The gentleman will be so recorded.

Mr. MAHADY. Mr. President, I desire to be recorded as voting "aye."

The PRESIDING OFFICER. The gentleman will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—24

Camiel,	Kalman,	Mullin,	Silvert,
Devlin,	Lane,	Murray,	Stalsey,
DiSilvestro,	Mahady,	Ripp,	Stiefel,
Donolow,	McCreesh,	Sarraf,	Weiner,
Haluska,	McGinnis,	Sesler,	Yatron,
Hays,	McMenamin,	Seyler,	Rooney,
			Presiding Officer

NAYS—25

Bell,	Hawbaker,	Pechan,	Taylor,
Berger,	Keller,	Propert,	Van Sant,
Chapman,	Kessler,	Scott,	Wade,
Confair,	Kromer,	Shafer,	Wagner,
Ehrgood,	Madigan,	Stevenson,	Ware, III,
Flack,	Mallery,	Stroup,	Wolfe,
Fleming,			

Less than a majority of all the Senators having voted "aye," the question was determined in the negative, and the bill was defeated.

BILL OVER IN ORDER

HB 1015—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILL ON THIRD READING, DEFEATED ON FINAL PASSAGE

HB 1075 (Pr. No. 1192)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. LANE. Mr. President, I desire to change my vote from "aye" to "no."

The PRESIDING OFFICER. The gentleman will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—20

Camiel,	Hays,	Murray,	Silvert,
Devlin,	Kalman,	Ripp,	Stalsey,
DiSilvestro,	McCreesh,	Sarraf,	Stiefel,
Donolow,	McGinnis,	Sesler,	Yatron,
Haluska,	Mullin,	Seyler,	Rooney,
			Presiding Officer

NAYS—29

Bell,	Keller,	McMenamin,	Taylor,
Berger,	Kessler,	Pechan,	Van Sant,
Chapman,	Kromer,	Propert,	Wade,
Confair,	Lane,	Scott,	Wagner,
Ehrgood,	Madigan,	Shafer,	Ware, III,
Flack,	Mahady,	Stevenson,	Weiner,
Fleming,	Mallery,	Stroup,	Wolfe,
Hawbaker,			

Less than a majority of all the Senators having voted "aye," the question was determined in the negative, and the bill was defeated.

BILL ON THIRD READING AND FINAL PASSAGE

HB 1098 (Pr. No. 2513)—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. BERGER. Mr. President, may we be at ease a moment?

The PRESIDING OFFICER. The Senate will be at ease.

(The Senate was at ease.)

Mr. President, I understand a roll call has been held. I was in the telephone booth and was not recorded. I would like to be recorded as voting "no" on House bill No. 1098.

The PRESIDING OFFICER. The gentleman will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—26

Bell,	Lane,	Propert,	Stalsey,
Camiel,	Mahady,	Ripp,	Stiefel,
Devlin,	McCreesh,	Sarraf,	Taylor,
DiSilvestro,	McGinnis,	Sesler,	Weiner,
Donolow,	McMenamin,	Seyler,	Yatron,
Fleming,	Mullin,	Silvert,	Rooney,
Kalman,	Murray,		Presiding Officer

NAYS—21

Berger,	Keller,	Pechan,	Van Sant,
Chapman,	Kessler,	Scott,	Wade,
Confair,	Kromer,	Shafer,	Wagner,
Ehrgood,	Madigan,	Stevenson,	Ware, III,
Hawbaker,	Mallery,	Stroup,	Wolfe,
Hays,			

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL ON THIRD READING, DEFEATED ON FINAL PASSAGE

HB 1105 (Pr. No. 2525)—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—24

Camel,	Kalman,	Mullin,	Silvert,
Devlin,	Lane,	Murray,	Stalsey,
DiSilvestro,	Mahady,	Ripp,	Stiefel,
Donolow,	McCreesh,	Sarraf,	Weiner,
Haluska,	McGinnis,	Sesler,	Yatron,
Hays,	McMenamin,	Seyler,	Rooney,
			Presiding Officer

NAYS—24

Bell,	Fleming,	Mallery,	Stroup,
Berger,	Hawbaker,	Pechan,	Taylor,
Chapman,	Keller,	Propert,	Wade,
Confair,	Kessler,	Scott,	Wagner,
Ehrgood,	Kromer,	Shafer,	Ware, III,
Flack,	Madigan,	Stevenson,	Wolfe,

Less than a majority of all the Senators having voted "aye," the question was determined in the negative, and the bill was defeated.

BILL ON THIRD READING AMENDED

HB 1172 (Pr. No. 2514)—Read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. WEINER, by unanimous consent, offered the following amendment:

Amend Bill, page 5, by inserting between lines 5 and 6:

Section 2 The act is amended by adding after Section 4 two new sections to read:

On the question,

Will the Senate agree to the amendment?

Mr. STIEFEL. Mr. President, I am going to vote against this amendment. The purpose of my doing so is to bring to the attention of the Senate a man who was imported by Harry Shapiro from the West. He is a wild jackass by the name of Elias Cohen. I never saw a man more inflexible than this gentleman. Many times I have tried to visualize the fabric out of which a Gestapo agent would be made, and I feel he is a living example of what a Gestapo agent might be.

During this entire Session, I have introduced several bills which would have remedied this situation by transferring the Office for the Aging from the Department of Public Welfare to the capable, strong hands of Doctor Wilbar. However, the bills still rest in committee. This is one chance to curb Mr. Cohen's appetite and to set him where he belongs.

Mr. President, I am voting against this amendment and I will vote against the bill, because I feel a man like that should not be entrusted with the administration of institutions for the aged.

Mr. WEINER. Mr. President, I would just like to state, for the purpose of the record, that a good many of us were here when the change was going through with this department. There were many advisory committees, councils and boards that met on this. They finally came up with what they thought was the best solution, and they enlarged the Department of Welfare. They combined the Department of Public Assistance, the Office of Mental Health and the Office for the Aging—all of these different categories—and set up a table of organization.

Having agreed upon this, I think we must wait until such time as this department has had a proper chance to operate and arrive at some conclusion. It might very well be that some of the people, in trying to carry out their jobs, might be a little bit harsh. Bear in mind that they are operating in areas which have never been regulated before, not because the people who had the jobs before were derelict in their duty, but because times have changed. We are looking upon these things in a different era.

For example, ten or fifteen years ago, the population which has now become much older did not face the problems that we face today.

I am not here to bear witness or testimony on this gentleman's behalf because I think that will stand on its own two feet. In trying to do a job on behalf of all of the people among the aged or people who end up in nursing homes,—all of us know of cases where people have been thrown away as human relics or human derelicts and just left in some home—it might very well be that sometimes in their desire to do a proper job, they might very well overstep their bounds. I think the error is on the side of trying to do the right thing, rather than to hurt someone by an overbearing bureaucracy.

Mr. STIEFEL. Mr. President, you know Senator Weiner and I are great friends and we are getting along nicely. However, this is one of our apples of discord existing between us. The same goes for Senator Lane. I even mentioned the malpractices of Elias Cohen in the presence of His Excellency, the Governor, and Senator Lane was the first one to jump to his defense.

I want to say this: A person in such an important position should possess a certain degree or even a modicum of flexibility, decency, affability and respect, and not treat anybody who comes to see him like dirt under his feet. Arrogance is not the hallmark of a public official. A public official should be firm, decent and courteous, and these are qualities which Elias Cohen lacks.

Now I feel there is another thing. The time will come when this entire business of combining the Departments of Public Assistance and Welfare will receive the proper and now long delayed elucidation. I have said time and again—and I now repeat here on the floor of the Senate—that this entire reorganization was undertaken to suit the ambitions of a certain person who was a great administrator, Senator Harry Shapiro. Only a man like Harry Shapiro, who is brilliant, capable and dynamic, could administer such a sprawling department. However, with Harry Shapiro out of the picture, the entire situation becomes mixed-up like a jig saw puzzle.

This is the reason why I feel the ten surgical hospitals should be under the jurisdiction of Doctor Wilbar, where they belong. You cannot create a sprawling empire and put in charge a lady who is soft with Elias Cohen and tolerates his arrogance and ebullience.

This is the reason I am going to persist and, like Cato of Rome, say that Carthage must be destroyed. Some of these bureaus in Public Welfare must go to the Department of Health, and especially the ten surgical hospitals and the Office for the Aging. Under the firm and capable hand of Doctor Wilbar, Elias Cohen will not be permitted to act like a Gestapo agent.

Mr. MAHADY. Mr. President, it is not often that I disagree with my learned friend from Philadelphia. In the matter of scholarship, he has few equals. However, here is something concerning which I do have personal knowledge. I am a member of that committee, and on this committee the homes were represented and ably represented. They pushed very hard to see that they were well taken care of.

As for it being the personal act of one Mr. Cohen, let me assure you personally, Senator Stiefel, that this action was given a lot of consideration. One of the amendments, I do not personally agree with. However, I do say to you that this will be a decided improvement and will make the category of control of the aged within a working capability which will benefit the homes, even for the receipt of Federal funds.

Mr. STIEFEL. Mr. President, you and I served on a certain committee, a year ago, which boasted of having as members the illustrious Senator Pechan and Senator Shafer, who may be the next Justice of the Supreme Court. Anyway, you will remember we were locked in battle with Senator Pechan. You know, Senator Pechan is a very tough opponent. The matter ended in a draw. Maybe now I am beginning to rue the day when I did not see his way about it. However, it is too late now, but if there is ever any committee which tries to reverse the combining of the Department of Welfare and the Department of Public Assistance, I will be in favor of doing it and breaking it up into its component pieces.

Mr. LANE. Mr. President, actually, I did not intend to get into this hassle. The last time when the distinguished gentleman from Philadelphia, Senator Stiefel, talked in the Governor's Office, with reference to Elias Cohen, I stated at that time that my experience with Mr. Cohen was very pleasant and I thought he was very efficient and very capable. For quite awhile, there were more or less strained relations between my good friend, Senator Stiefel, and myself. Frankly, I did not intend to take the floor, but the gentleman from Philadelphia brought me into this. I hope he understands that. Therefore, I have to defend my position. I do feel that probably Elias Cohen does not treat Senator Stiefel properly and there should be some corrections made.

However, Senator Stiefel is a very learned individual. He very well knows this is a government of law and not of men. Therefore, Mr. President, I feel that in view of these circumstances, I must be in favor of the amendment and I am going to be for the bill. However, I wish to inform Senator Stiefel that if his bill is reported from committee, transferring a portion of the Department of Public Welfare's responsibilities to the Department of Health, I, for one, will certainly vote for it.

Mr. STIEFEL. Mr. President, Furthermore, along that line of thinking, not only is Mr. Cohen pontificating here in Harrisburg, but he appointed a virago. The definition of a virago is a tough and insulting woman. It is spelled v-i-r-a-g-o. He appointed a virago by the name of Galo, of Philadelphia, who, in my opinion, should not be the person to inspect homes for the aged. The sooner the Department of Public Welfare will investigate this Mrs. Galo, the better for us. If they are not going to initiate an investigation, I will offer a resolution to look into her activities.

Mr. SILVERT. Mr. President, during most of this Session, we heard the arguments given by Senator Stiefel in favor of again separating or removing the Department of Public Assistance from the Department of Public Welfare. We previously merged the two departments during the Leader Administration, under Senator Shapiro. Senator Stiefel always speaks very highly of Senator Shapiro.

It so happened that I met Senator Shapiro about two or three weeks ago. I said: "Senator, would you be in favor of separating the Department of Public Assistance and the Department of Public Welfare—separating those departments which were combined during your term of office?" He answered me by saying: "I think it would be a mistake to do so."

And the question recurring,

Will the Senate agree to the amendment?

A voice vote having been taken, the question was determined in the affirmative and the amendment was agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. WEINER.

BILL ON THIRD READING AND FINAL PASSAGE

HB 1234 (Pr. No. 1408)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Ripp,	Van Sant,
Devlin,	Lane,	Sarraf,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Rooney,
Hawbaker,	Miller,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

HB 1263—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

HB 1402 (Pr. No. 2192)—Mr. BERGER. Mr. President,

I move that House Bill No. 1402 be recommitted to the Committee on Insurance.

Mr. PECHAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. LANE. Mr. President, I desire to be recorded as voting "no" on this motion to recommit House bill No. 1402.

Mr. MAHADY. Mr. President, I desire to be recorded as voting "no."

Mr. FLEMING. Mr. President, I also wish to be recorded as voting "no."

The PRESIDING OFFICER. The Clerk will call the roll on this motion.

(During the calling of the roll, the following occurred:)

POINT OF ORDER

Mr. McMENAMIN. Mr. President, I rise to a point of order.

The PRESIDING OFFICER. The gentleman from Lackawanna, Mr. McMEnamin, will state his point of order.

Mr. McMENAMIN. Mr. President, was there a request for a roll call and may I inquire who made the request?

The PRESIDING OFFICER. The Chair asked for a roll call because there were too many negative votes popping up. It was Senator Berger who requested the roll call and it was seconded by Senator Pechan.

Mr. BERGER. Mr. President, I did not ask for a roll call.

The PRESIDING OFFICER. The Senate will be at ease.

(The Senate was at ease.)

Mr. LANE. Mr. President, I now request that House bill No. 1402 go over in its order.

The PRESIDING OFFICER. There being no objection, the bill will go over in its order.

BILL ON THIRD READING AND FINAL PASSAGE

HB 1403 (Pr. No. 1673)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Ripp,	Van Sant,
Devlin,	Lane,	Sarra,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Rooney,
Hawbaker,	Miller,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING, DEFEATED ON FINAL PASSAGE

HB 1414 (Pr. No. 1963)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

Mr. McMENAMIN. Mr. President, in recent years, there has been a tendency—and I believe too much—to exalt the Executive Branch of Government to the detriment of the Legislative Branch of Government. This bill is another step in that direction in carrying out that theory of government.

It seems to me that since the Legislature created all of these funds, the Legislature should wipe them out if they are no longer needed. There is no reason for us to delegate further of our powers and give the Executive Branch of Government a blank check to do what we should do by single bills. If we are to continue the integrity and the strength of the Legislative Branch of Government, which is one of the three basic forms of government, I believe this bill should be defeated.

Mr. BERGER. Mr. President, all I have to say concerning this bill, I believe I said before in discussing it. However, I thoroughly agree with Senator McMEnamin and his evaluation of this situation. I had thought I would be furnished with a list of these funds and the balances which are intended to be merged into the General Fund by this bill. I have not received them, and I agree with Senator McMEnamin that this is a job for the Legislature in a detailed way if we are going to merge these funds into the General Fund or, as we frequently do, finally to lapse them into the General Fund.

Mr. WEINER. Mr. President, this bill merely gives the Governor the power to abolish and transfer balances from the special funds to the General Fund. Many times, the Legislature creates these special funds to take care of a special situation. A special situation may arise in a year, two years, three years or maybe four years. Here you have special funds which no one is even aware of. I believe all of you will remember, at the beginning of the Session, we found there were a number of funds which had not been used for years. No one even knew they existed, other than they were carried on the books or the ledgers of the Commonwealth. We had to pass special legislation to get rid of all these funds or, at least, to merge them into the General Fund.

This bill merely permits the Executive Branch to do this, when these funds have outlived their usefulness or no longer serve any purpose.

It is not the Governor, alone, who does this. It is the Auditor General and the State Treasurer, who also act in concert with him. At the moment, they happen to be of the same political faith. Two years ago, however, this was not the case. I do not believe you are depriving the Legislature of any of its powers. I do not believe you are taking anything away or infringing upon these powers. You are merely saying to the Executive Branch that it should help run the government when the Legislature is not here. I am certain that any Governor who understands government would certainly not take this upon himself, if and when the Legislature is in Session.

Mr. WADE. Mr. President, according to the statement

of the State Treasurer, of June 1961, there were fifty-eight separate funds in the Commonwealth. I must agree with Senator McMenamin and Senator Berger that each one of these funds were set up by a separate Act of the Legislature.

If we were to pass House Bill No. 1414, the Governor would have the privilege of abolishing funds with balances of \$32,355,000, \$30,541,000 and other various and sundry funds of that kind. It certainly would seem to me, as Senator McMenamin and Senator Berger have so well pointed out, that this would be very foolish legislation for us to pass.

As a matter of fact, about two weeks ago, Senator Berger asked that a report be given to him denoting which funds the Governor proposed to abolish or which ones he proposed to take the balances and throw them into the General Fund. So far as I know, and from Senator Berger's statement today, no answer has been forthcoming to that interrogation. We, as Members of the Legislature, if we are going to preserve the Legislative Branch of Government, certainly should know about each fund which is to be abolished.

Mr. WEINER. Mr. President, may I also point out to the gentleman here that this cannot be done by the Governor unless he has certification from the State Treasurer that these funds are no longer needed for the purpose for which they were set up?

We are certainly not talking about great and vast sums of money. We are talking about the Governor having available to him money which might be needed and which he might otherwise have to wait for the Legislature to convene, or the State might have to borrow, or he might have to use some other means to obtain these funds. I think this is certainly small power to put into the hands of the Governor or the Chief Executive, whoever he might be, because we have faith that he will follow the constitutional precepts and also use this to the best interest of the Commonwealth of Pennsylvania.

Mr. WADE. Mr. President, I desire to interrogate the Majority Leader.

The PRESIDING OFFICER. Will the Majority Leader, Mr. Weiner, permit himself to be interrogated?

Mr. WEINER. I will, Mr. President.

Mr. WADE. Senator Weiner, would you tell the Members of the Senate what funds the Governor proposes now to abolish?

Mr. WEINER. Mr. President, I do not know of any at the moment. These are merely powers you are giving him in futurity when these things might exist, because we have pretty well cleaned these up with legislation here when we started this Session. This could go on for a number of years, and you would have money tied up in these various funds that would be serving no purpose whatsoever. The money would just lay there because no one is taking the initiative to do anything about it.

Mr. WADE. Mr. President, I thank the gentleman for not answering the interrogation. He says he does not have the answer.

As of June 1961, of the fifty-eight funds, each and every one had a balance, with the exception of two.

Mr. WEINER. Mr. President, if the gentleman feels that these two funds which have no balance are still useful

and he would like to have the prerogative of canceling them, I have not noticed that he has introduced any bills to take care of this problem or to even deal with it.

I will not go into interrogation to find out what these funds are and what purpose they serve. However, I think the gentleman will be hard put to tell me what special purposes many of these funds serve after the time for which they have been set up has long passed and the period lapsed.

I will ask my colleagues to vote "aye" on this legislation. And the question recurring, Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—14

DiSilvestro,	McGinnis,	Sarra,	Stiefel,
Hays,	Mullin,	Seyler,	Weiner,
Kalman,	Murray,	Silvert,	Yatron,
Lane,	Ripp,		

NAYS—31

Berger,	Hawbaker,	Pechan,	Taylor,
Camel,	Keller,	Propert,	Van Sant,
Chapman,	Kessler,	Scott,	Wade,
Confair,	Kromer,	Sesler,	Wagner,
Devlin,	Madigan,	Shafer,	Ware, III,
Donolow,	Mahady,	Stalsey,	Wolfe,
Ehrgood,	Mallery,	Stevenson,	Rooney,
Fleming,	McMenamin,	Stroup,	Presiding Officer

Less than a majority of all the Senators having voted "aye," the question was determined in the negative, and the bill was defeated.

BILL ON THIRD READING AND FINAL PASSAGE

HB 1476 (Pr. No. 1809)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camel,	Keller,	Ripp,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Sarra,	Van Sant,
Devlin,	Lane,	Scott,	Wade,
DiSilvestro,	Madigan,	Sesler,	Wagner,
Donolow,	Mahady,	Shafer,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Stalsey,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Rooney,
Hawbaker,	Miller,		Presiding Officer

NAYS—

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

HB 1515, 1551, 1588, 1666, 1667 and 1678—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

SECOND READING CALENDAR

BILLS ON SECOND READING

HB 81 (Pr. No. 2187) and **SB 130 (Pr. No. 130)**—Read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

HB 337, SB 375, 473, HB 573 and **SB 598**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

SB 611 and **613**—Without objection, the bills were passed over in their order at the request of Mr. HAYS.

BILL ON SECOND READING

SB 637 (Pr. No. 735)—Read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

SB 644 and **692**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

BILL ON SECOND READING

HB 719 (Pr. No. 2008)—Read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

SB 734 and **758**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

BILL ON SECOND READING AMENDED

SB 791 (Pr. No. 1070)—The first, second and third sections were read and agreed to.

The fourth section was read.

On the question,

Will the Senate agree to the section?

Mr. McMENAMIN offered the following amendments:

Amend Sec. 4, page 4, line 14, by striking out "religious."

Amend Sec. 4, page 4, line 15, by striking out "a religious" and inserting: an

They were agreed to.

The section was agreed to as amended.

The fifth section was read and agreed to.

The sixth section was read.

On the question,

Will the Senate agree to the section?

Mr. McMENAMIN offered the following amendment:

Amend Sec. 6, page 7, line 11, by inserting after "solicitation": provided however that the aggregate liability of the surety to the State and to all such persons shall in no event exceed the sum of said bond

It was agreed to.

The section agreed to as amended.

The seventh, eighth, ninth, tenth, eleventh, twelfth and thirteenth sections and title were read and agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. McMENAMIN.

BILLS OVER IN ORDER

SB 801 and **806**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

BILL ON SECOND READING

HB 810 (Pr. No. 892)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS REREFERRED

SB 813 (Pr. No. 991), SB 814 (Pr. No. 992) and **SB 815 (Pr. No. 993)**—Upon motion of Mr. SEYLER, seconded by Mr. DEVLIN, and agreed to, the bills were rereferred to the Committee on Appropriations.

BILLS OVER IN ORDER

HB 826 and **SB 828**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

BILLS ON SECOND READING

SB 851 (Pr. No. 1064) and **SB 860 (Pr. No. 1088)**—Read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

SB 867 (Pr. No. 1101)—The first and second sections were read and agreed to.

The third section was read.

On the question,

Will the Senate agree to the section?

Mr. HAYS offered the following amendments:

Amend Section 282, page 4, line 15, by striking out "or" and inserting: and

Amend Section 282, page 4, lines 16, 17 and 18, by striking out "for the assignment of such programs to an administrative unit" in line 16, and all of lines 17 and 18; and inserting: special education and area technical school attendance areas established in accordance with standards approved by the State Council of Education

They were agreed to.

The section was agreed to as amended.

The fourth section and title were read and agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. HAYS.

BILL OVER IN ORDER

HB 1085—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILLS ON SECOND READING

HB 1099 (Pr. No. 1216)—Read at length the second time,

On the question,

Will the Senate agree to the bill on second reading?

Mr. BERGER. Mr. President, I request that House Bill No. 1099 go over in its order.

The PRESIDING OFFICER. Is there objection?

Mr. WEINER. Mr. President, I object to this bill going over in its order. My reason for doing so is that House Bill No. 1099, Printer's No. 1216, is a companion bill to House Bill No. 1098, which we just passed today. House Bill No. 1101, Printer's No. 1738, which is the next

bill appearing on the Calendar, is also one of the bills which has been on the Calendar for quite some time. We are anxious to work on these bills and to pass them, and I would object to them going over in order today.

Mr. BERGER. Mr. President, in a sense, I suppose House Bill No. 1099 may be called a companion bill to House Bill No. 1098. They happen to have consecutive numbers. Outside of that, each one of these bills deals separately with the same subject, and that is mutual insurance companies.

Mr. President, these bills are designed to bring under control of the Insurance Department the small mutual insurance companies, such as the Grange, the Farmers' Alliance and different types of insurance companies. According to my information, these would be very much hampered in their operations if these bills were to pass. They are providing now coverage that could not otherwise be provided by stock companies or the larger mutuals.

Mr. President, you will be doing a tremendous damage to an industry which does a peculiar and valuable service to rural Pennsylvania.

Mr. WEINER. Mr. President, under House Bill No. 1099, all we are doing here is eliminating the option of domestic mutual fire insurance companies to not license any of their agents. On that basis, suppose you have Mr. X or Mr. Y, who works for an insurance company, and he loses his job or is fired for misfeasance or non-feasance in office. He then goes ahead and gets a job with one of these small companies or this type of company where they do not have to be licensed. The public at large may have no way of knowing this or be on notice of this man's former record or former activity.

I do not think that anyone is hurt if he comes under this bill in the sense that you license him, or at least cause him to register so that we have some idea of what these people are doing. We do not want to limit anyone's employment. However, we certainly want to be aware if there are some people who are not desirable in an industry. The should be ferreted out or, at least, brought to the attention of the public at large.

That is the only reason we want to bring this bill up to Third Reading and bring it up to a vote.

Mr. BERGER. Mr. President, the statements of the Majority Leader, I believe, are a little bit away from the field. While it is true, in a sense, that a man who might have had his license revoked could go out and get a job with another insurance company, let me point out that the agents for these small mutuals are not agents. They are usually members of the board or officers of the company. They do not employ any agents, Mr. President. They simply render a service for the members of their own mutual.

For that reason, Mr. President, I believe these bills are harmful to that industry.

Mr. WEINER. Mr. President, I fail to see where registering these people, or at least bringing them under the jurisdiction of the Insurance Commissioner, would hurt their effectiveness or even hurt their ability to carry out their jobs. In other words, if they do it in this company, I do not see how just this man alone coming under the Insurance Commissioner's jurisdiction is going to hurt them, as everyone else does who is in that industry.

The PRESIDING OFFICER. Objection has been raised to this bill going over in its order.

Mr. BERGER. Mr. President, I now move that House Bill No. 1099, Printer's No. 1216, go over in its order.

Mr. WADE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. WEINER. Mr. President, again, I object to the bill going over in its order.

And the question recurring,

Will the Senate agree to the motion?

A voice vote having been taken, the question was determined in the negative and the motion was defeated.

And the question recurring,

Will the Senate agree to the bill on second reading?

It was agreed to.

Ordered, To be transcribed for a third reading.

HB 1101 (Pr. No. 1738)—Read at length the second time,

On the question,

Will the Senate agree to the bill on second reading?

Mr. BERGER. Mr. President, I request that House Bill No. 1101 go over in its order.

The PRESIDING OFFICER. Is there objection?

Mr. WEINER. Mr. President, I object to House Bill No. 1101 going over in order. This bill provides for the policies, contracts or certificates of domestic mutual fire insurance companies to be submitted to the Insurance Commissioner for approval. It would be unlawful for them to act without this approval.

Right now, all of the other companies submit their contracts. I do not see that any harm would come from the Commissioner looking at these contracts and deciding whether or not they were in proper form. I am certain he will be as kindly to them as he has been to the other insurance companies, as well. I think at the moment there are no complaints.

The PRESIDING OFFICER. There being objection to House Bill No. 1101 going over in its order, the question recurs on the passage of this bill on second reading.

And the question recurring,

Will the Senate agree to the bill on second reading?

It was agreed to.

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

HB 1163—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILL ON SECOND READING

HB 1190 (Pr. No. 2420)—Read at length the second time,

On the question,

Will the Senate agree to the bill on second reading?

Mr. BERGER. Mr. President, I request that House Bill No. 1190 go over in its order.

The PRESIDING OFFICER. Is there objection?

Mr. WEINER. Mr. President, I object to House Bill No. 1190, Printer's No. 2420, going over in its order for the reasons stated previously. These bills have been on the Calendar for quite a long time and we would like to dispose of them. The only way we can do that is by moving them up to Third Reading.

The PRESIDING OFFICER. Objection has been raised to House Bill No. 1190 going over in its order.

And the question recurring,

Will the Senate agree to the bill on second reading?
It was agreed to.

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

HB 1220—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILL ON SECOND READING

HB 1232 (Pr. No. 1406)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

HB 1335—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

HB 1377—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILL ON SECOND READING

HB 1415 (Pr. No. 1705)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL REREFERRED

HB 1415 (Pr. No. 1705)—Upon motion of Mr. WEINER, seconded by Mr. LANE, and agreed to, the bill just read was rereferred to the Committee on Appropriations.

BILL ON SECOND READING

HB 1440 (Pr. No. 1734)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

HB 1446 (Pr. No. 2202)—The first section was read.

On the question,

Will the Senate agree to the section?

Mr. HAYS offered the following amendments:

Amend Sec. 1 (Sec. 5.2), page 2, line 9, by inserting after "barbering": under the immediate supervision of a licensed barber.

Amend Sec. 1 (Sec. 5.2), page 2, line 15, by inserting after "barbering": under the immediate supervision of a licensed barber.

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. HAYS.

BILLS OVER IN ORDER

HB 1496 (Pr. No. 1844)—Read at length the second time,

On the question,

Will the Senate agree to the bill on second reading?

Mr. BERGER. Mr. President, I request that House Bill No. 1496 go over in its order.

The PRESIDING OFFICER. Is there objection?

Mr. WEINER. Mr. President, I object to House Bill No. 1496, Printer's No. 1844, going over in order.

This bill is an important piece of legislation, and many of us here would like the opportunity to at least vote on

this measure. I would ask that it be prepared for Third Reading so that we can vote on it either this week or Monday of next week, and dispose of this matter one way or another. This bill has been around for a little while, and it is important to many of us who would like an opportunity to express our interest in this measure.

Mr. BERGER. Mr. President, I do not believe this bill has been on the Calendar a long enough time to get as much mold as certain other bills that appear on the Third Reading Calendar, about which the gentleman does not seem to be so solicitous.

Mr. President, I have no particular interest in this bill. However, I requested that it go over in order. Since there has been an objection raised, I now move that the bill go over in order.

Mr. PECHAN. Mr. President, I will second that motion.

Am I in order to make some remarks upon this bill?

The PRESIDING OFFICER. After the motion is put, you may then make your remarks.

Mr. WEINER. Mr. President, I just want the record to show that this bill has been on the Calendar since June 26th.

On the question,

Will the Senate agree to the motion?

Mr. PECHAN. Mr. President, I would like to ask the Chair or the Majority Leader how long House Bill No. 95 has been on the Calendar, which he continually, each day, keeps putting over and over and over.

The PRESIDING OFFICER. The Chair feels you are out of order. We are discussing House Bill No. 1496 and not House Bill No. 95, Senator.

Mr. PECHAN. Mr. President, may I talk on House Bill No. 1496?

The PRESIDING OFFICER. You may talk on House Bill No. 1496.

Mr. PECHAN. Mr. President, during the last Session when I was Chairman of the Committee on Public Health and Welfare, and the city of Philadelphia wanted three and one-half millions of dollars from the Department of Health,—they wanted to establish their own county health unit after having been a Philadelphia unit over the years—we agreed to give them three and one-half millions of dollars. An amendment was tacked onto the bill, and when it was amended, the bill passed by a vote of 50-0. Not one single soul on the other side or this side complained about it.

There are a lot of letters going back and forth from a certain Mr. Broughton in the city of Pittsburgh, who is today complaining about the county health unit. At that time, I was in touch with Mr. Broughton—I am now talking about 1959—and among other things, he said when this amendment was added, allowing a referendum on a one per cent vote, he thought it was unfair. However, he did say that if we could tack onto that amendment that it shall not be subject to a vote every year, but every five years, it would be satisfactory.

I would like to read one paragraph from his letter. It states as follows:

"I am not at all doubtful about the security of the existing County Health Units. I think the above amendment is intended to harass and prevent the creation of new ones. Clearly, it could be used that way. Wherever a County Health Department is established and voters know what it is, they favor it. They do not fall for the imaginary

bugaboos which . . .”—I am not going to mention the man's name—"invents. I would not be afraid of any referendum"—mind you—"that followed five or six years of experience with a County Health Department. The Butler Department, as you know, was set up by the Commissioners and then adopted by a four-to-one vote after three years of experience."

As you all know since that time, Butler County which I represent, threw out the county health unit by a vote of 19,000 to 14,000.

Mr. President, I am not at all surprised that the people voted by that large a majority because the administration that we had in Butler County was such that it was an untouchable. I mean, you could not get in to see them. Consequently, the people were very sick and tired of it.

Let me tell you about the creation of the Butler County Health Department. A foundation came in and gave the county of Butler \$50,000 as a pilot to start the county health units in the Commonwealth—\$50,000. The people took it, voted for it and accepted it. In their last year's budget, it was going to cost the people of Butler County some \$214,000 to take care of the Butler County Health Unit, and they had nothing to show but a lot of statistics. You cannot blame the people of Butler County for knocking it down.

You all know that I happen to be interested in the health program. I happen to be a dentist, and I appreciate the good that can come from health departments. I can also see the damage that can be done.

I want to say to Senator Weiner that now that the shoe is on the other foot and he has got his three and one-half million dollars, he does not care anything about what the other part of the State thinks about it and he wants to repeal all over the State.

I say if they want to, who do they not introduce an amendment so that Pittsburgh and Philadelphia can live by themselves? They want to anyhow, because they talk about those of us who come from the rural areas as a bunch of Senators from the sticks. I will go along with an amendment, if they will introduce an amendment for Allegheny County and Philadelphia County.

I know I am out of order and I want to be out of order.

Mr. WEINER. Mr. President, I do not know whether the gentleman is finished with his campaign speech or not. However, he finally got back to House Bill No. 1496.

I believe the record will show, if the gentleman will peruse if for a moment or two, that we discussed this problem in quite some detail when this matter was before us. Tied to this very problem of the one per cent proposal was also the money with which to do the job. You did not have a chance to choose between your father and your mother. You had to choose them both. Therefore, the bill passed by a vote of 50-0 in this Body. That, however, did not make it a good bill; it did not make it right. We are trying to correct a previous error.

I believe Senator Pechan has been quoted in some of the newspapers—if I am incorrect on the quote, I hope the gentleman will forgive me and correct me—that he was in favor of this type of a measure. I do not know how far he wanted to go, but he did state that he was in favor of this type of a measure and that he felt there should be some change. The gentleman also looked back retrospectively, I believe, in one of the State's newspapers and was quoted as saying that he felt the experience of But-

ler County was a rather unique one and based on rather unique circumstances. I do not think that is a good test of this measure.

When the Commonwealth expends money and the counties expend money, I think the people in the communities should have some sort of security or, at least, some sort of understanding that when they have spent this money and have done this job, it is going to remain for awhile.

I believe one of the Senators on the Republican side, Senator Propert, from Montgomery County, can explain to the gentleman—because it was contiguous to Philadelphia—about the tremendous battle which took place on this very same issue. In his county, it split everybody up on all different lines, regardless of their political affiliation. It was very strong with those people in that community. It has been very strong in our community and I am sure also in the community of Allegheny County.

That is why, Mr. President, I believe this measure should come before us. We should work on it. If it needs amending, I think we should do that. If it does not need to be amended, then I think we should pass this bill. If it is bad legislation, let us vote it down. I believe there may be some Members on this side who may not feel highly disposed to it, although I have not heard anyone on this side express themselves in that vein.

Mr. PECHAN. Mr. President, the gentleman said that I was quoted in some of the newspapers as being in favor of this bill. I certainly am in favor of health measures. However, some of the newspapers also said that I sneaked that amendment into the bill last year. This is untrue. We discussed the matter with Senator Weiner, with Members from Philadelphia, and with everybody who was concerned. Everybody was happy until they got the three and one-half million dollars. Then, everybody became unhappy. I am not unhappy. I want to say that I could vote for a bill, if proper amendments were incorporated in it, whereby we could get people to head these departments who would do a good job and would not set themselves up as little dictators and little lords, and that the people in the townships cannot come in to see them.

Certainly, we need health restrictions. We need good ones. If you will recall, Mr. President, I have sponsored and co-sponsored many, many health measures, not only in the past but during this Session. If the Majority Leader has some amendments to offer—however, concerning this bill, we have told you there are no votes, so far as I know. It is not Caucus action, as some of the newspapers would like to have you believe.

Mr. BERGER. Mr. President, I would by no means like to prolong this debate. I am going to withdraw my motion that the bill go over in its order.

Mr. PECHAN. Mr. President, I will also withdraw my second to the motion.

Mr. BERGER. Mr. President, may we be at ease?

The PRESIDING OFFICER. The Senate will be at ease. (The Senate was at ease.)

Mr. WEINER. Mr. President, at this time, I withdraw my objection to House Bill No. 1496, Printer's No. 1844, going over in order.

The PRESIDING OFFICER. Objection having been withdrawn, the bill will go over in its order.

HB 1616—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

HB 1617—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

HB 1621—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILL ON SECOND READING

HB 1630 (Pr. No. 2479)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

HB 1652 (Pr. No. 2480)—The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WEINER offered the following amendment:

Amend Bill, page 2, by inserting after line 9:
Section 2 This act shall take effect January 1
1962

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. WEINER.

BILLS OVER IN ORDER

HB 1683 and 1704—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

BILL ON SECOND READING

HB 1794 (Pr. No. 2367)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

SENATE CONCURRENT RESOLUTION, SERIAL No. 113, CALLED UP

Mr. WEINER, without objection, called up from page 24 of the Calendar, Senate Concurrent Resolution, Serial No. 113, entitled:

Directing the Joint State Government Commission to Study the Problem of Sex Offenders in Pennsylvania.

On the question,

Will the Senate adopt the resolution?

SENATE CONCURRENT RESOLUTION, SERIAL No. 113,
ADOPTED

Mr. WEINER. Mr. President, I move that the Senate do adopt this resolution.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to and the resolution was adopted.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

SENATE RESOLUTION

COMMENDING CAPTAIN RUSSELL C. BARTMAN

Messrs. BERGER and WEINER, by unanimous consent, offered the following resolution (Serial No. 87), which was read, considered and adopted:

In the Senate, July 24, 1961.

On July 5, 1947, through the "State Public School Building Authority Act," an Authority was created for the purpose of constructing, improving, maintaining, operating, furnishing and equipping public school buildings.

The first and only Executive Director, until very re-

cently, was Russell C. Bartman, Captain, U. S. N., Retired, who served in this capacity for over thirteen years.

In view of the fact that this was the first Authority of this type, Captain Bartman was responsible for its organization and establishing procedures for carrying out the program for which the Authority was created.

During the period that Captain Bartman was at the helm of the Authority, bonds in the amount of more than \$365,000,000 were issued; 478 projects were constructed; in excess of \$10,000,000 was collected; monthly payments to contractors exceeded \$5,000,000, and over 300 construction contracts per year were awarded.

The Commonwealth of Pennsylvania can be justly proud of the status of our State Public School Building Authority which has been a model throughout the United States for efficient and economical school construction and financing.

The success of the State Public School Building Authority can be attributed in a large measure to the fine administrative abilities, business acumen and devotion to duty of Captain Bartman; therefore be it

RESOLVED, That the Senate commend Captain Russell C. Bartman, U. S. N., Retired, for his exemplary service to the Commonwealth of Pennsylvania while serving as Executive Director of the State Public School Building Authority; and be it further

RESOLVED, That a copy of this resolution be transmitted to him at Harrisburg, Pennsylvania.

BILL ON FIRST READING

Mr. WEINER. Mr. President, I move that the Senate do now proceed to the first reading of the bill reported from committee for the first time at today's session.

Mr. SILVERT. Mr. President, I second the motion.

The motion was agreed to.

The bill was as follows: **HB 36.**

And said bill having been read at length for the first time,

Ordered, To be laid aside for second reading.

ANNOUNCEMENTS BY THE SECRETARY

The following announcements were read by the Secretary of the Senate:

COMMITTEE MEETINGS

TUESDAY, JULY 25, 1961

Eastern Daylight Saving Time	Committee	Room
9:00 A.M.	SELECT COMMITTEE ON EDUCATION	245
10:00 A.M.	STATE GOVERNMENT	535
10:30 A.M.	FORESTS AND WATERS, GAME AND FISH	539A
11:00 A.M.	LOCAL GOVERNMENT	301
11:15 A.M.	SENATE COMMITTEE TO EXAMINE SECRET AGREEMENT PROHIBIT- ING STUDENTS FROM TRANS- FERRING FROM ONE UNIVERSITY OR PROFESSIONAL SCHOOL TO TO ANOTHER—SENATE RESOLU- TION NO. 82	302
11:30	JUDICIARY GENERAL	535

ADJOURNMENT

Mr. WEINER. Mr. President, I move that the Senate do now adjourn until Tuesday, July 25, 1961, at 11:00 a.m., Eastern Standard Time.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 6:07 p.m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

MONDAY, July 24, 1961

The House met at 2 p. m., e. s. t.

The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

Almighty God, in the awareness of Thy presence in our midst in this evening hour, we invoke Thy blessing upon the assemblage of this House of Representatives, and we pray for Thy guidance and direction in the life of each one of us in the days which lie ahead. But, O God, we bow before Thee fully recognizing that our professions in life far exceed the lives which we live. Grant to each one of us the determination and sincerity in life to put our best foot forward, and live as well as profess the doctrines which we know and believe to be right and true. In Jesus' precious Name. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Wednesday, July 19, 1961, will be postponed until printed.

The Chair hears none.

REPORT OF DELAWARE RIVER PORT AUTHORITY

The SPEAKER laid before the House the report of the Delaware River Port Authority for the year 1960.

(For report, see Appendix.)

NORTH CAROLINA STATE OFFICER WELCOMED

The SPEAKER. We are fortunate to have with us today the Honorable F. B. Turner, State property officer for the State of North Carolina. I presume that his office is comparable to that of our secretary of property and supplies. He is here today to observe one small detail of our procedure, but I hope that he will not simply be a watcher.

You know, North Carolina, in the history of our Country, has been a wonderful State. Every now and then it does something really remarkable. Whether or not it lags a little behind us in parliamentary facilities, I do not know, but I hope that the gentleman will tell us something about the State House, to cost somewhere in excess of \$6 million, a building to be devoted exclusively to the use of North Carolina's General Assembly. I gather from looking over the preliminary plans that they are going to have everything in that building—an office for every member of the General Assembly plus a swimming pool.

It is now my pleasure and privilege to present to you the Honorable F. B. Turner, State property officer of the State of North Carolina.

ADDRESS BY HONORABLE F. B. TURNER

Honorable F. B. TURNER. Mr. Speaker and members of the House of Representatives of the State of Pennsylvania, it is a real pleasure to be here and a privilege to see you in action.

I am here today for the purpose of observing one feature of your building and that is your roll call equipment.

North Carolina has under construction at the present time a legislative building. I believe it is the first one in this Country designed exclusively for legislative business. There will not be housed in our facility any offices or services of any sort other than the offices of the members of the legislature and its two chambers, the chamber for the House of Representatives and the chamber for the Senate. We would love to have any or all of you visit this structure when it is completed and see it in use.

One of the main features of our building is that every member of the House and every member of the Senate will have an individual office within that structure. There will be space on the ground floor, or basement, if you like, for the parking of automobiles of the members. We believe it will be the first time, we know it will be the first time, that we ever had those facilities available for our legislature.

Again I thank you for permitting me to come here and to observe you in action.

The SPEAKER. As far as that State House is concerned, maybe if we keep at it we will be able to catch up with them, a consummation to be devoutly wished.

PERMISSION TO ADD ADDITIONAL SPONSORS

The SPEAKER. The Chair recognizes the gentleman from Delaware, Mr. Lippincott.

Mr. LIPPINCOTT. Mr. Speaker, there is an agreement that additional sponsors will be added to House bill No. 137, and I therefore request unanimous consent of the House to add the name of the gentleman from Delaware, Mr. Gremminger, and the name of the gentleman from Adams, Mr. Worley, as additional sponsors of this bill, and also I request that the chief clerk be directed to reprint the bill showing the names of these gentlemen as additional sponsors.

The SPEAKER. The Chair hears no objection and the chief clerk is so directed.

QUESTION OF PERSONAL PRIVILEGE

The SPEAKER. For what purpose does the gentleman from Westmoreland, Mr. Jim, rise?

Mr. JIM. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. JIM. Mr. Speaker and members of the House, I appreciate this personal privilege for my few remarks here today. To the press, newspapers, radio and television news given to me last week on proposed legislation and correct coverage on my remarks and actions in the House, to all of them, I am grateful, and my hearty thanks for the news releases.

Mr. Speaker, I have an article here from the Pittsburgh Press, Sunday, July 16, 1961. I have a few remarks, but rather than have me read it at length, I would like to have the privilege of having it inserted in the Legislative Journal.

The SPEAKER. The Chair hears no objection. It will be sent to the desk and included in the Journal.

Mr. JIM. Mr. Speaker, I have another one here from my hometown newspaper, the Latrobe Bulletin, Wednesday, July 19, 1961, and it is headlined: "Representative

Charles Jim In Dog Fight." I would like to have this printed in the Legislative Journal.

The SPEAKER. The Chair hears no objection. The Chair has no doubt that when the Journal appears the comments will be read with interest.

Mr. JIM submitted the following articles for the record:

HOUSE TO PICK OFFICIAL MUTT

GR-R-FF MUTTERINGS AS STATE PUTS ON DOG

By John Place

There are likely to be some grrruff voices on the telephone lines into Harrisburg tomorrow.

That is when the House may take up a measure to make the Great Dane official dog of the Commonwealth.

The bill was passed in the Senate last Tuesday by a vote of 29 to 17 after supporters beat down a move to shunt the bill into committee.

But there may be trouble in the House, where some members have been heard to ask:

"What's so great about the Great Dane, except his appetite?"

It could be a real dog fight.

Back here, Mrs. Abe Denmark, of 6328 Glenview Pl., said there will be "something rotten in the state of" unless the Great Dane gets the vote.

On the other hand, James Collie, of 7120 Tilden St., East Liberty, favors you-know-what.

A call to the Connecticut home of Victor Borge brought the response that he would be delighted to comment.

Except that the Laughing Dane happened to be sailing off the coast of Denmark.

Some are quite dogmatic about their choice.

Such as little Max, the frisky pet of a Shady-side resident.

Max, an uncertain breed, speaks for that sentimental favorite, the ordinary mutt.

REPRESENTATIVE CHARLES JIM IN 'DOG FIGHT'

Harrisburg (UPI)—A dog fight was shaping up in the state House of Representatives today between fanciers of great danes and beagles.

The State Government Committee reported to floor a Senate passed bill designating the great dane as Pennsylvania's official dog.

Representative Charles Jim, D-Westmoreland, a beagle fancier, raced to the microphone and threatened to demand a reading of all bills at length.

Jim's action caught Democratic leaders off guard, and after a hurried conference with Majority Leader Stephen McCann, D-Greene, Jim withdrew his request that all bills be read at length.

Jim told reporters he had reached a "compromise," but declined to say what it was. However, it was reported there would be favorable committee action on a bill sponsored by Jim which would declare the song "Pennsylvania" by Gertrude Martin Rohrer as the state song of the Commonwealth.

Representative Jules Filo, D-Allegheny, another beagle booster, said he may try to amend the Senate bill to have the beagle instead of the great dane designated as the official state canine.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 137, entitled:

An Act making an appropriation to the Pennsylvania

Historical and Museum Commission for the repair and restoration of the Caleb Pusey House subject to certain conditions.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 318, entitled:

An Act amending the "Third Class County Board Assessment Law" approved June 26, 1931 (P. L. 1379), imposing certain minimum limitations on making assessments.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 407, entitled:

An Act amending "The Fourth to Eighth Class County Assessment Law" approved May 21, 1943 (P. L. 571), imposing certain temporary restrictions on the taxing authorities of political subdivisions affected by the provisions of said act.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1355, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), regulating contracts for repairs to automobiles.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

The SPEAKER. The Chair requests the gentleman from Armstrong, Mr. Helm, to preside temporarily.

Mr. HELM IN THE CHAIR

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1707, entitled:

An Act establishing and taking over as State highways certain county highways * * * tunnels bridges * * * and certain streets and bridges in cities of the first class and in cities of the second class * * * and certain township roads and certain streets in boroughs and incorporated towns * * * and deleting certain State highways.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1771, entitled:

An Act amending "The Fourth to Eighth Class County Assessment Law" approved May 21, 1943 (P. L. 571), authorizing taxation of land owned by school districts for certain purposes.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1809, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), creating a Bureau of Economic Promotion in the Department of Commerce and defining its powers and duties providing for the testing endorsement and advertising of products by such bureau.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1828, entitled:

An Act amending the "1937 Magistrates' Court Act" approved June 15, 1937 (P. L. 1743), providing for election of the chief magistrate by the board of magistrates.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1829, entitled:

An Act amending the "Parking Authority Law" approved June 5, 1947 (P. L. 458), authorizing the extension of the term of existence of an Authority by resolution or ordinance of the municipality.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1830, entitled:

An Act amending the "Parking Authority Law" approved June 5, 1947 (P. L. 458), authorizing the sale or leasing of the space above any parking facility for commercial purposes other than the sale of gasoline or automobile accessories.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 8, entitled:

An Act selecting designating and adopting the Great Dane as the official dog of the Commonwealth of Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 587, entitled:

An Act amending the act of May 10, 1939 (P. L. 111), entitled "Commerce Law" empowering the Department of Commerce to make loans.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 605, entitled:

An Act amending the act of January 29, 1844 (P. L. 25), entitled "An act supplementary to an act to incorporate the president and directors of the water pipes in Aaronsburg" permitting additional persons to vote for the directors further providing who shall be taxed increasing one tax providing for flat rates and tap on charges and repealing inconsistent legislation.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

REPORTS FROM COMMITTEE

Mr. McCANN from the Committee on Rules, reported as committed, Senate bill No. 667, entitled:

An Act creating and establishing a continuing career system for technical and professional personnel in or assigned to the Department of Highways establishing and vesting certain powers in the Highway Technical and Professional Personnel Board and making an appropriation.

Mr. McCANN from the Committee on Rules, reported as committed, Senate bill No. 751, entitled:

An Act amending the act of April 18, 1929 (P. L. 612), entitled "An act for the election of the president members of town council and auditors in incorporated towns of the Commonwealth . . ." redesignating the president of the town council as the mayor.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 667, entitled:

An Act creating and establishing a continuing career system for technical and professional personnel in or assigned to the Department of Highways establishing and

vesting certain powers in the Highway Technical and Professional Personnel Board and making an appropriation.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 751, entitled:

An Act amending the act of April 18, 1929 (P. L. 612), entitled "An act for the election of the president members of town council and auditors in incorporated towns of the Commonwealth . . ." redesignating the president of the town council as the mayor.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

LEAVES OF ABSENCE

By unanimous consent leaves of absence were granted as follows:

Mr. Dougherty for Mr. SAKULSKY for today because of illness.

Mr. Dougherty for Mr. FRY for today.

Mr. Dougherty for Mr. MIHM for the week.

Mr. Dougherty for Mr. WARGO for today.

Mr. Tompkins for Mr. BOWMAN for the week because of illness.

Mr. Tompkins for Mr. DENGLE for the week.

Mr. Tompkins for Mr. DOWN for the week.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of Senate bill No. 405, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," further regulating suspensions of operators' licenses or learners' permits for violation of maximum speed limits.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—174

Anderson, J. H.	Gelfand,	Limper,	Reldenbach,
Anderson, S. A.,	George,	Lippincott,	Renwick,
Arlene,	Gibbons,	Long, Wm. Jos.,	Riley,
Ashton,	Goldstein, J. H.,	Lutty,	Rovasek,
Auker,	Goodrich,	Magee,	Royer,
Bachman,	Gramlich,	Manbeck,	Rubin,
Backenstoe,	Greenlee,	Markley,	Rudisill,
Blair,	Gremminger,	Marsh,	Rutherford,
Boles,	Gross,	Maxwell,	Scarcelli,
Bonner,	Guesman,	May,	Schuster,
Bossert,	Guthrie,	McCandless,	Seltzer,
Bower,	Hamilton,	McCann,	Shelton,
Breth,	Hankins,	McCormack,	Sherman,
Buchanan,	Hartley,	McDevitt,	Shupnik,
Bush,	Haudenshield,	McDonald,	Simmons,
Capano,	Heavey,	McInroy,	Slack,
Cianfrani,	Heffner,	McNally,	Snare,
Cioffi,	Helm,	Meholchick,	Stank,
Comer,	Henzel,	Merry,	Stimmel,
Cooley,	Hocker,	Miller,	Stiteler,
Crossin,	Hollday,	Mills,	Stone,
Curwood,	Holman,	Monroe,	Sullivan, J. A.,
Davis,	Horst,	Morley,	Taylor,
Dennison,	Irvia,	Munley,	Thompson,
Donaldson,	Isaacs,	Murphy,	Tomascik,
Dougherty,	Jenkins,	Murray,	Tompkins,
Doughten,	Jim,	Musto,	Ujohai,

Edwards,
Elberg,
Elvey,
Eshback,
Eshleman,
Esler,
Ewing,
Farabaugh,
Fetterolf,
Filo,
Flynn,
Foor,
Fox,
Frascella,
Fulmer,
Galley,
Gallagher,

Johnson, A. W.,
Johnson, R. P.,
Jones,
Kamyk,
Kelser,
Keely,
Kernaghan,
Kessler,
King,
Kistler,
Klein,
Flynn,
Foor,
Fox,
Frascella,
Fulmer,
Galley,
Gallagher,

Needham,
O'Dell,
O'Donnell, J. A.,
O'Donnell, J. P.,
Odoriso,
Ogilvie,
Parlante,
Pashley,
Petrosky,
Piper,
Polaski,
Polen,
Prendergast,
Price,
Pursley,
Reibman,

Varner,
Verona,
Wall,
Weidner,
Welsh,
Wescott,
Whittaker,
Willard,
Willaredt,
Williams, A. D.,
Wood,
Worley,
Wynd,
Zember,
Zimmerman,
Andrews,
Speaker

NAYS—0

NOT VOTING—36

Adams,
Bowman,
Branca,
Capitolo,
Cauley,
Clarke,
Dengler,
Down,
Fineman,

Foerster,
Fry,
Gibb,
Goldstein, M. H.,
Gray,
Holl,
Kramer,
Lamb,
Lawson,

Lee, K. B.,
Long, Wm. Jas.,
McKeever,
McLaughlin,
Mihm,
Mullen,
Perry,
Sakulsky,
SchAAF,

Steckel,
Strausser,
Sullivan, T. F.,
Trusto,
Walsh,
Wargo,
Williams, E. S.,
Wilt,
Yetter,

The majority required by the Constitution having voted in the affirmative the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate bill No. 486, entitled:

An Act amending the act of June 25, 1947 (P. L. 1145), entitled as amended "Local Tax Enabling Act," prescribing the effective date of taxes levied for the first time by any political subdivision limiting appeals by taxpayers to such first tax levies.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—169

Anderson, J. H.	Gelfand,	Limper,	Renwick,
Anderson, S. A.,	George,	Lippincott,	Riley,
Arlene,	Gibbons,	Long, Wm. Jos.,	Rovasek,
Ashton,	Goldstein, J. H.,	Lutty,	Royer,
Auker,	Goodrich,	Magee,	Rubin,
Bachman,	Gramlich,	Manbeck,	Rudisill,
Backenstoe,	Greenlee,	Markley,	Rutherford,
Blair,	Gremminger,	Marsh,	Scarcelli,
Boles,	Gross,	Maxwell,	Schuster,
Bonner,	Guesman,	May,	Seltzer,
Bossert,	Guthrie,	McCandless,	Shelton,
Bower,	Hamilton,	McCann,	Sherman,
Breth,	Hankins,	McCormack,	Shupnik,
Buchanan,	Hartley,	McDevitt,	Simmons,
Bush,	Haudenshield,	McDonald,	Slack,
Capano,	Heavey,	McNally,	Snare,
Cianfrani,	Heffner,	Meholchick,	Stank,
Cioffi,	Helm,	Merry,	Steckel,
Comer,	Henzel,	Miller,	Stimmel,
Cooley,	Hocker,	Mills,	Stiteler,
Crossin,	Hollday,	Monroe,	Stone,
Curwood,	Holman,	Morley,	Sullivan, J. A.,
Davis,	Irvia,	Munley,	Taylor,
Dennison,	Isaacs,	Murphy,	Thompson,
Donaldson,	Jenkins,	Musto,	Tomascik,
Dougherty,	Johnson, A. W.,	Needham,	Tompkins,
Doughten,	Johnson, R. P.,	O'Dell,	Ujohai,

Edwards, Elberg, Elvey, Eshback, Eshleman, Esler, Ewing, Farabaugh, Fetterolf, Filo, Flynn, Foor, Frascella, Fulmer, Galley, Gallagher,	Jones, Kamyk, Kelser, Kelly, Kernaghan, Kessler, King, Kistler, Klein, Knecht, Kooker, Kornick, Korns, Lee, A. M., Leonard,	O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, Parlante, Pashley, Petrosky, Piper, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach,	Varner, Verona, Wall, Weidner, Welsh, Wescott, Whittaker, Willard, Willaredt, Williams, A. D., Wood, Wynd, Zember, Zimmerman, Andrews, Speaker
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NAYS—4

Fox,	Gross,	Horst,	Worley,
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NOT VOTING—37

Adams, Bowman, Branca, Capitolo, Cauley, Clarke, Dengler, Down, Fineman, Foerster,	Fry, Gibb, Goldstein, M. H., Gray, Holl, Kramer, Lamb, Lawson, Lee, K. B.,	Long, Wm. Jas., McInroy, McKeever, McLaughlin, Mihm, Mullen, Murray, Perry, Sakulsky,	Schaaf, Strausser, Sullivan, T. F., Trusio, Walsh, Wargo, Williams, E. S., Wilt, Yetter,
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The majority required by the Constitution having voted in the affirmative the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate bill No. 716, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," clarifying and changing provisions relating to social studies curriculum.

On the question,

Shall the bill pass finally?

Mr. WORLEY. Mr. Speaker, to insure the teacher and the student of their freedom to pursue the subject of Communism objectively and to acquaint our young citizens with its strength as well as its weaknesses, it is necessary to have this bill in order to equip the American people with a sound judgment and appraisal of the ideas opposed to our political ideas, but we must make it certain that we do not pay our adversaries the highest compliment of aping them and becoming totalitarian ourselves.

The greatest strength of democracy is fearlessly adhering to the principles of democracy. We are not afraid of the ideological strength of our opponents. All we need is to know and understand them and thereby we can better overcome them by the superiority of our own ideas. We therefore must make it absolutely sure that no teacher or student is threatened or penalized in anyway by exercising our most sacred right of critical analysis and objective approach to all questions.

Now, Mr. Speaker, will the gentleman from Clearfield, State Representative Marsh, the sponsor of these amendments, on the teaching of Communism, permit himself to be interrogated for one question?

The SPEAKER pro tempore. Will the gentleman from Clearfield, Mr. Marsh, permit himself to be interrogated? Mr. MARSH. I shall, Mr. Speaker.

Mr. WORLEY. Mr. Speaker, is it the gentleman's legislative intent as the sponsor of these amendments on the teaching of Communism that Communism is to be taught objectively in the schools of Pennsylvania?

Mr. MARSH. Yes, Mr. Speaker; I can answer yes to that question.

Mr. WORLEY. Mr. Speaker, I therefore strongly support this bill and ask that it be passed by this House of Representatives.

On the question recurring,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—172

Anderson, J. H. Anderson, S. A., Arlene, Ashton, Auker, Bachman, Backenstoe, Blair, Boles, Bonner, Bossert, Bower, Breth, Buchanan, Bush, Capano, Cianfrani, Cioffi, Comer, Cooley, Crossin, Curwood, Davis, Dennison, Donaldson, Dougherty, Doughten, Edwards, Elberg, Elvey, Eshback, Eshleman, Esler, Farabaugh, Fetterolf, Filo, Flynn, Foor, Fox, Frascella, Fulmer, Galley, Gallagher,	Gibbons, Goldstein, J. H., Goodrich, Gramlich, Greenlee, Gremminger, Gross, Guesman, Guthrie, Hamilton, Hankins, Hartley, Haudenschild, Heavey, Heffner, Helm, Henzel, Hocker, Holliday, Holman, Horst, Irvis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kelser, Kelly, Kernaghan, Kessler, King, Kistler, Klein, Knecht, Kooker, Kornick, Korns, Lee, A. M., Limper, Lippincott,	Long, Wm. Jos., Lutty, Magee, Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McCormack, McDevitt, McDonald, McNally, Meholchick, Merry, Miller, Mills, Monroe, Morley, Murphy, Mullen, Munley, Murray, Musto, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, Parlante, Pashley, Perry, Petrosky, Piper, Polaski, Polen, Prendergast, Pursley, Reibman, Reidenbach, Renwick,	Riley, Rovansek, Royer, Rubin, Rudisill, Rutherford, Scarcelll, Schuster, Seltzer, Sheiton, Sherman, Shupnik, Simmons, Slack, Snare, Stank, Steckel, Stimmel, Stiteler, Stone, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomascik, Tompkins, Ujobai, Varner, Verona, Wall, Weidner, Welsh, Wescott, Whittaker, Willard, Willaredt, Williams, A. D., Wood, Worley, Wynd, Zember, Zimmerman, Andrews, Speaker
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NAYS—2

Ewing,	Price,
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NOT VOTING—36

Adams, Bowman, Branca, Capitolo, Cauley, Clarke, Dengler, Down, Fineman, Foerster, Fry, Gelfand, George, Gibb, Goldstein, M. H., Gray, Holl, Kramer,	Lamb, Lawson, Lee, K. B., Leonard, Long, Wm. Jas., McInroy, McKeever, McLaughlin, Mihm,	Sakulsky, Schaaf, Strausser, Trusio, Walsh, Wargo, Williams, E. S., Wilt, Yetter,
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The majority required by the Constitution having voted in the affirmative the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

BILL PASSED OVER

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. McCANN. Mr. Speaker, our caucus indicated on page 5 that 1541 would be voted on today. We have had a request that it go over and be voted on tomorrow and be debated, House bill 1541, printer's No. 2523. The Republican caucus wishes to carefully caucus on the bill before it is brought up for a vote. We were going to vote on it now, but I ask that it be marked "over"; it will be debated and caucused tomorrow, Tuesday, and also debated on the floor and voted tomorrow.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 292, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), requiring that rubbish be covered when transported and fixing penalties.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. McCANN. Will the gentleman from Erie, Mr. O'Dell, or Mr. Blair, the co-sponsors of the bill, permit themselves to interrogated for a short question?

The SPEAKER pro tempore. Will the gentleman from Erie, Mr. O'Dell, permit himself to be interrogated?

Mr. O'DELL. I shall, Mr. Speaker.

Mr. McCANN. Mr. Speaker, on House bill 292, of which you are a co-sponsor, some of the members have indicated that in the title the word "rubbish" should have been corrected to read "refuse." In your opinion should the bill be amended before it is voted on?

Mr. O'DELL. Mr. Speaker, I am not sure. Perhaps there is a legal phrase there that is different. The intent of the bill is, as I think many of the cities have an ordinance, to require all rubbish trucks to cover the rubbish when it is being transported.

The thing that prompted this bill was a few years back when I was going down Route 19 to Pittsburgh a big truck, it was not necessarily a rubbish truck but it had a lot of empty boxes and things, was coming toward me and a large piece of paper blew off because the truck was not covered and hit my windshield and I darned near wrecked the car before I could stop and get the paper off the windshield.

I would like to see a bill of this type passed, and perhaps if it is passed and needs amendments at a later date, we could put them in.

Mr. McCANN. Mr. Speaker, the reason I questioned

the gentleman on this is that this does pertain particularly to what you have indicated in your statement here.

We are satisfied to go along with the bill but I just wanted to be clear that you were dealing with the so-called "rubbish truck" which we favor. If it is satisfactory with you, we will vote the bill, sir.

Mr. O'DELL. It is satisfactory.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Cameron, Mr. Tompkins.

Mr. TOMPKINS. Mr. Speaker, on this bill the present section 831 of the vehicle code provides that any load must be so loaded that it cannot fall off and shift.

Now this bill, as I understand it, goes further and says that rubbish must have a canvas over it. Now I am wondering if maybe this was section 831.1—it adds a new section, rather than amend section 831. In my opinion, section 831 ought to be amended to provide that any loads of that kind, where stuff might fall off, should be covered with a canvas rather than having a new section merely covering rubbish. I am for the bill. I am very much for the bill, and I am wondering if such things as newspapers and so forth would be classified as rubbish.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—158

Anderson, J. H.	Galley,	Kornick,	Reidenbach,
Anderson, S. A.,	Gallagher,	Korns,	Renwick,
Arlene,	Gelfand,	Kramer,	Riley,
Ashton,	Gibbons,	Lee, A. M.,	Royer,
Auker,	Goldstein, J. H.,	Leonard,	Rubin,
Bachman	Goldstein, M. H.,	Limper,	Rudisill,
Backenstoe,	Gramlich,	Long, Wm. Jos.,	Rutherford,
Blair,	Greenlee,	Lutty,	Scarcelli,
Boles,	Gremminger,	Magee,	Schuster,
Bossert,	Gross,	Manbeck,	Seltzer,
Bower,	Guesman,	Marsh,	Shelton,
Breth,	Guthrie,	Maxwell,	Sherman,
Buchanan,	Hankins,	May,	Simmons,
Bush,	Hartley,	McCandless,	Slack,
Capano,	Haudenshield,	McCann,	Snare,
Cianfrani,	Heavey,	McDonald	Stank,
Cioffi,	Heffner,	McDevitt,	Steckel,
Comer,	Helm,	McInroy,	Stimmel,
Cooley,	Henzel,	Meholchick,	Stiteler,
Crossin,	Hocker,	Merry,	Stone,
Curwood,	Holliday,	Miller,	Sullivan, T. F.,
Davis,	Holman,	Mills,	Taylor,
Dennison,	Horst,	Monroe,	Thompson,
Donaldson,	Irviss,	Morley,	Tomascik,
Dougherty,	Isaacs,	Mullen,	Tompkins,
Doughten,	Jenkins,	Musto,	Ujobal,
Edwards,	Jim,	Needham,	Varnier,
Ellberg,	Johnson, A. W.,	O'Dell,	Verona,
Elvey,	Johnson, R. P.,	O'Donnell, J. P.,	Wall,
Eshback,	Jones,	Odorisio,	Weidner,
Eshleman,	Kamyk,	Ogilvie,	Welsh,
Esler,	Kelser,	Parlante,	Wescott,
Ewing,	Kelly,	Perry,	Whittaker,
Fetterolf,	Kernaghan,	Petrosky,	Willard,
Filo,	Kessler,	Piper,	Willaredt,
Flynn,	King,	Polaski,	Williams, A. D.,
Foor,	Kistler,	Polen,	Wood,
Fox,	Klein,	Prendergast,	Wynd,
Frascella,	Knecht,	Reibman,	Zember,
Fulmer,	Kooker,		

NAYS—19

Bonner,	McCormack,	Pashley,	Sullivan, J. A.,
Farabaugh,	McNally,	Price,	Worley,
Goodrich,	Munley,	Pursley,	Zimmerman,
Lippincott,	Murphy,	Rovansek,	Andrews,
Markley,	O'Donnell, J. A.,	Shupnik,	Speaker

NOT VOTING—33

Adams,	Foerster,	Lawson,	Schaaf,
Bowman,	Fry,	Lee, K. B.,	Strausser,
Branca,	George,	Long, Wm. Jas.,	Trusio,
Capitolo,	Gibb,	McKeever,	Walsh,
Caulley,	Gray,	McLaughlin,	Wargo,
Clarke,	Hamilton,	Mihm,	Williams, E. S.,
Dengler,	Holl,	Murray,	Wilt,
Down,	Lamb,	Sakulsky,	Yetter,
Fineman,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 382, entitled:

An Act to repeal sections 662, 663 and 730 of "The Penal Code," approved June 24, 1939 (P. L. 872), relating to the imposition of penalties against railroad employes and other persons for certain activities during strikes and against transportation employes for injuries or death resulting from their actions.

On the question,

Will the House agree to the bill on third reading?

Mr. GAILEY asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Title, page 1, first line of Title, by striking out "662"

Amend Sec. 1, page 2, line 1, by striking out "662"

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1598, entitled:

An Act relating to the regulation of the practice of pharmacy including the sale use and distribution of drugs and amending revising consolidating and changes relating thereto.

On the question,

Will the House agree to the bill on third reading?

Mr. MAXWELL asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Title, page 1, next to last line of Title, by inserting after "drugs" and devices at retail

Amend Title, page 1, last line of Title, by striking out the word "changes" and inserting repealing certain laws

Amend Section 2, page 3, line 6, by striking out "Danger-

ous Drug," "restricted drug" and inserting "Narcotic drug," "dangerous drug," "non-proprietary drug"

Amend Section 2, page 4, line 4, by inserting after "disease" Provided, however, That "practice of pharmacy" shall not include the operations of a manufacturer or wholesaler as defined in the Drug Device and Cosmetic Act.

Amend Section 2, page 4, line 6, by striking out "pharmaceutical services are rendered" and inserting the practice of pharmacy is conducted

Amend Section 2, page 4, line 14, by adding "nor medicated feed intended for and used exclusively as a feed for animals other than man"

Amend Section 4, page 10, line 7 by striking out "may" and inserting shall

Amend Section 4, page 11, line 18 by inserting after the word "board" if an association that no director or officer or

Amend Section 4, page 13, lines 13 and 14 by striking out "or offer or" on line 13 and "advertise pharmaceutical services" on line 14.

Amend Section 4, page 13, line 17 by inserting after the word "if" an association or

Amend Section 4, page 14, line 1, by inserting after "any" corporate association or duly registered

Amend Section 5, page 16, lines 8 and 9 by striking out "after it is presented for fill-" on line 8 and "ing" on line 9

Amend Section 5, page 16, line 19 by striking out "or dangerous or restricted" and inserting dangerous or non-proprietary

Amend Section 5, page 17, lines 4 and 5 by striking out "or the quality of drugs used in" on line 4 and all of line 5

Amend Section 5, page 17, lines 7, 8 and 9 by striking out "or the advertising or giving of dis-" on line 7 and all of lines 8 and 9

Amend Section 5, page 18, lines 5 and 6, by striking out all of them

Amend Section 5, page 18, lines 7, 8, 9, 10 and 11 by striking out all of them

Amend Section 5, page 18, line 12 by striking out "(xii)" and inserting (x)

Amend Section 5, page 18, line 14 by striking out "(xiii)" and inserting (xi)

Amend Section 5, page 18, line 17 by striking out "(xiv)" and inserting (xii)

Amend Section 5, page 19, line 3 by striking out "(xv)" and inserting (xiii)

Amend Section 5, pages 19 and 20 by striking out "drug defined in clause (2) of section 8 of this act" on line 19, page 19, all of line 20, page 19 and "Device and Cosmetic Act" on line 1, page 20 and inserting narcotic drug, dangerous drug or non-proprietary drug

Amend Section 6, page 23, line 16 by inserting after "drugs" or devices

Amend Section 6, page 23, line 19 and page 24, lines 1 and 2 by striking out "THE BOARD SHALL NOT BE AUTHORIZED TO INSPECT" in line 19, page 23 and all of lines 1 and 2, page 24

Amend Section 6, page 24, by inserting between lines 12 and 13 (i) The powers and duties of the board, as enumerated in subsection (h) of this section, shall not be applicable to manufacturers and wholesalers as defined in the Drug Device and Cosmetic Act or to their operations as such

Amend Section 8, page 29, line 7 by striking out "poison as defined by this act a" and inserting narcotic drug

Amend Section 8, page 29, line 8 by striking out "restricted" and inserting non-proprietary

Amend Section 8, Page 30, line 5 by striking out "establishment" and inserting place

Amend Section 8, page 30, line 6 by inserting after "distributed" to the ultimate consumer

Amend Section 8, page 31, line 15 by striking out "person" and inserting pharmacist or owner of a pharmacy

Amend Section 8, page 32 by inserting at the end thereof (14) Any person to advertise the filling or refilling of prescriptions for any consumer or patient in Pennsylvania if said person is not licensed under this act or the said prescription is not filled or refilled in a pharmacy licensed by the board

Amend Section 8, page 33, line 1 by striking out "(14)" and inserting (15)

Amend Section 9, page 33, lines 8, 9 and 10 by striking out "In addition to the provisions relating to drugs" on line 8 and all of lines 9 and 10 and inserting therein poison means and includes the compositions of the following schedules

Amend Section 9, page 38, lines 9 and 10 by striking out "LI-" on line 9 and "CENSED BY THE SECRETARY OF HEALTH" on line 10

Amend Section 9, page 38, line 11 by striking out "(C)" and inserting (E)

Amend Section 9, page 38, line 12 by inserting after "SOLD" distributed or furnished

Amend Section 9, page 38, line 12 by inserting after "TO" drug manufacturers, wholesalers, hospitals

Amend Section 9, page 39, line 3 by adding after "1957" Nor with respect to any poisons present in commercial feeds as defined and regulated by the commercial feeds act of 1956 May 29 PL (1955) 1788

Amend the bill, page 42 by adding a new section Section 13 This act shall take effect on January 2, 1962

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1814, entitled:

An Act imposing a tax for general public school purposes in school districts of the first class A on salaries wages commissions and other compensation earned by residents thereof and on the net profits earned from businesses professions or other activities conducted by residents thereof * * *.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—104

Anderson, S. A.,	Gibb,	Long, Wm. Jos.,	Polen,
Arlene,	Goldstein, M. H.,	Lutty,	Prendergast,
Ashton,	Gramlich,	Magee,	Price,
Bachman	Gray,	Markley,	Reibman,
Backenstoe,	Greenlee,	Marsh,	Reidenbach,
Blair,	Gremminger,	Maxwell,	Renwick,
Bonner,	Guesman,	McCann,	Riley,
Cioffi,	Hankins,	McCormack,	Rubin,
Comer,	Hartley,	McDevitt,	Rudisill,
Cooley,	Haudenshield,	McDonald	Scarcelli,
Curwood,	Heavey,	McInroy,	Shelton,
Davis,	Irvis,	McNally,	Shupnik,
Dennison,	Jim,	Meholchick,	Simmons,
Donaldson,	Johnson, A. W.,	Merry,	Steckel,
Dougherty,	Jones,	Mills,	Stimmel,
Doughten,	Kamyk,	Monroe,	Stiteler,
Edwards,	Kelly,	Morley,	Sullivan, J. A.,
Ellberg,	Kessler,	Mullen,	Taylor,
Elvey,	Knecht,	Musto,	Thompson,
Eshback,	Kooker,	Needham,	Tomascik,
Esler,	Kornick,	O'Dell,	Tompkins,
Ewing,	Kramer,	Parlante,	Vernona,
Farabaugh,	Lamb,	Perry,	Wall,

Fox,
Frascella,
Galley,

Lee, A. M.,
Leonard,
Limper,

Petrosky,
Piper,
Polaski,

Wilt,
Yetter,
Andrews,
Speaker

NAYS—80

Anderson, J. H.	Gibbons,	Kistler,	Schuster,
Auker,	Goldstein, J. H.,	Klein,	Sherman,
Boles,	Goodrich,	Korns,	Slack,
Bossert,	Gross,	Lippincott,	Snare,
Bower,	Guthrie,	Manbeck,	Stank,
Breth,	Hamilton,	May,	Stone,
Buchanan,	Heffner,	McCandless,	Sullivan, T. F.,
Bush,	Helm,	Miller,	Ujobal,
Capano,	Henzel,	Munley,	Varnar,
Cianfrani,	Hocker,	Murphy,	Weidner,
Clarke,	Holl,	Murray,	Welsh,
Crossin,	Holiday,	O'Donnell, J. A.,	Wescott,
Eshleman,	Holman,	O'Donnell, J. P.,	Whittaker,
Fetterolf,	Horst,	Odoriso,	Willard,
Filo,	Isaacs,	Ogilvie,	Willaredt,
Flynn,	Jenkins,	Pashley,	Wood,
Foor,	Johnson, R. P.,	Pursley,	Worley,
Fulmer,	Kelser,	Rovansek,	Wynd,
Gallagher,	Kernaghan,	Royer,	Zember,
Gelfand,	King,	Rutherford,	Zimmerman,

NOT VOTING—26

Adams,	Fineman,	McKeever,	Strausser,
Bowman,	Foerster,	McLaughlin,	Trusio,
Branca,	Fry,	Mihm,	Walsh,
Capitolo,	George,	Sakulsky,	Wargo,
Cauley,	Lawson,	Schaaf,	Williams, A. D.,
Dengler,	Lee, K. B.,	Seitzer,	Williams, E. S.,
Down,	Long, Wm. Jas.,		

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 342, entitled:

An Act providing for the certification by the Secretary of Health of operators in responsible charge of water supply systems and water treatment plants specifying the classifications of water supply systems and water treatment plants and the grades of certificates for operators thereof requiring that only certified operators may operate certain plants and systems providing for revocation and suspension of certificates and providing for penalties and civil relief.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 343, entitled:

An Act amending the act of September 26, 1951 (P. L. 1539), entitled "The Analytical-Biochemical-Biological Laboratory Act" removing certain exemptions and providing for rules and regulations.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—171

Anderson, J. H.	Gelfand,	Lee, K. B.,	Riley,
Anderson, S. A.,	George,	Leonard,	Rovansek,
Arlene,	Gibb,	Limper,	Royer,
Auker,	Gibbons,	Long, Wm. Jos.,	Rubin,
Bachman	Goldstein, J. H.,	Lutty,	Rudisill,
Backenstoe,	Goodrich,	Magee,	Rutherford,
Blair,	Gramlich,	Manbeck,	Scarcelli,
Boles,	Gray,	Markley,	Schuster,
Bonner,	Greenlee,	Marsh,	Shelton,
Bossert,	Gremmlinger,	May,	Sherman,
Bower,	Gross,	McCandless,	Shupnik,
Breth,	Guesman,	McCann,	Simmons,
Buchanan,	Guthrie,	McCormack,	Slack,
Bush,	Hamilton,	McDevitt,	Snare,
Capano,	Hankins,	McDonald,	Stank,
Cioffi,	Hartley,	McInroy,	Steckel,
Clarke,	Haudenshield,	McNally,	Stimmel,
Comer,	Heavey,	Meholchick,	Stone,
Cooley,	Heffner,	Merry,	Sullivan, J. A.,
Crossin,	Helm,	Miller,	Sullivan, T. F.,
Curwood,	Hocker,	Monroe,	Taylor,
Davis,	Holl,	Morley,	Thompson,
Dennison,	Holliday,	Mullen,	Tomasick,
Donaldson,	Holman,	Munley,	Tompkins,
Dougherty,	Horst,	Murphy,	Ujobal,
Doughten,	Irviss,	Musto,	Varner,
Edwards,	Jenkins,	Needham,	Verona,
Elberg,	Jim,	O'Dell,	Wall,
Elvey,	Johnson, A. W.,	O'Donnell, J. P.,	Weidner,
Eshback,	Johnson, R. P.,	Ogilvie,	Welsh,
Eshleman,	Jones,	Parlante,	Wescott,
Esler,	Kamyk,	Pashley,	Whittaker,
Ewing,	Keiser,	Perry,	Willaredt,
Farabaugh,	Kelly,	Petrosky,	Williams, A. D.,
Fetterolf,	Kessler,	Piper,	Williams, E. S.,
Filo,	King,	Polaski,	Wilt,
Flynn,	Klstler,	Polen,	Worley,
Foor,	Klein,	Prendergast,	Wynd,
Fox,	Knecht,	Price,	Yetter,
Frascella,	Kooker,	Pursley,	Zember,
Fulmer,	Kornick,	Reibman,	Zimmerman,
Galley,	Kramer,	Reidenbach,	Andrews,
Gallagher,	Lee, A. M.,	Renwick,	Speaker

NAYS—9

Ashton,	Korns,	O'Donnell, J. A.,	Stiteler,
Isaacs,	Lippincott,	Odorisio,	Willard,
Kernaghan,			

NOT VOTING—30

Adams,	Fineman,	Maxwell,	Schaaf,
Bowman,	Foerster,	McKeever,	Seltzer,
Branca,	Fry,	McLaughlin,	Strausser,
Capitolo,	Goldstein, M. H.,	Mihm,	Trusio,
Cauley,	Henzel,	Mills,	Walsh,
Cianfrani,	Lamb,	Murray,	Wargo,
Dengler,	Lawson,	Sakulsky,	Wood,
Down,	Long, Wm. Jas.,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Mr. MAXWELL. Mr. Speaker, I would like to be recorded as voting "aye" on this bill.

The SPEAKER pro tempore. The remarks of the gentleman will be noted in the journal.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 344, entitled:

An Act providing for the certification by the Sanitary Water Board of operators in responsible charge of sewage treatment plants specifying the classifications of sewage treatment plants and the grades of certificates for operators thereof requiring that only certified operators may operate certain plants providing for revocation and suspension of certificates and providing for penalties and civil relief.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 345, entitled:

An Act regulating sewage disposal systems in the interest of preserving the health of the people of the Commonwealth requiring permits to be issued to persons installing sewage disposal systems imposing certain duties on the Department of Health and on municipalities and providing penalties.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 685, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" further providing for the administration of allocation of unencumbered funds.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—184

Adams,	Gibb,	Lee, K. B.,	Reibman,
Anderson, J. H.,	Gibbons,	Leonard,	Reidenbach,
Anderson, S. A.,	Goldstein, J. H.,	Limper,	Renwick,
Arlene,	Goodrich,	Lippincott,	Riley,
Ashton,	Gramlich,	Long, Wm. Jos.,	Rovansek,
Auker,	Gray,	Lutty,	Royer,
Bachman,	Greenlee,	Magee,	Rubin,
Backenstoe,	Gremmlinger,	Manbeck,	Rudisill,
Blair,	Gross,	Markley,	Rutherford,
Bonner,	Guesman,	Marsh,	Scarcelli,
Bossert,	Guthrie,	Maxwell,	Schuster,
Bower,	Hamilton,	May,	Seltzer,
Breth,	Hankins,	McCandless,	Shelton,
Buchanan,	Hartley,	McCann,	Sherman,
Bush,	Haudenshield,	McCormack,	Simmons,
Capano,	Heavey,	McDevitt,	Slack,
Cianfrani,	Heffner,	McDonald,	Snare,
Cioffi,	Helm,	McInroy,	Stank,
Clarke,	Henzel,	McNally,	Steckel,
Comer,	Hocker,	Meholchick,	Stimmel,
Cooley,	Holl,	Merry,	Stiteler,
Crossin,	Holliday,	Miller,	Stone,
Curwood,	Holman,	Mills,	Sullivan, J. A.,
Davis,	Horst,	Monroe,	Sullivan, T. F.,
Donaldson,	Irviss,	Morley,	Taylor,
Dougherty,	Isaacs,	Mullen,	Thompson,
Doughten,	Jenkins,	Munley,	Tomasick,
Edwards,	Jim,	Murphy,	Ujobal,
Elberg,	Johnson, A. W.,	Murray,	Varner,
Elvey,	Johnson, R. P.,	Musto,	Verona,
Eshback,	Jones,	Needham,	Weidner,
Eshleman,	Kamyk,	O'Dell,	Wall,
Esler,	Keiser,	O'Donnell, J. A.,	Welsh,
Ewing,	Kelly,	O'Donnell, J. P.,	Wescott,

Farabaugh, Fetterolf, Filo, Flynn, Foor, Fox, Frascella, Fulmer, Galley, Gallagher, Gelfand, George,	Kernaghan, Kessler, King, Kistler, Klein, Knecht, Kooker, Kornick, Korns, Kramer, Lamb, Lee, A. M.,	Odorisio, Ogilvie, Parlante, Pashley, Perry, Petrosky, Piper, Polaski, Polen, Prendergast, Price, Pursley,	Whittaker, Willard, Willardt, Williams, A. D., Williams, E. S., Wilt, Wood, Worley, Wynd, Yetter, Zember, Zimmerman,
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NAYS—1

Tompkins,

NOT VOTING—25

Boles, Bowman, Branca, Capitolo, Cauley, Dengler, Dennison,	Down, Fineman, Foerster, Fry, Goldstein, M. H., Lawson,	Long, Wm. Jas., McKeever, McLaughlin, Mihm, Sakulsky, Schaaf,	Shupnik, Strausser, Trusio, Walsh, Wargo, Andrews, Speaker
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 697, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" providing for reconsideration of decisions in annexation proceedings.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—75

Anderson, S. A., Arlene, Bachman, Backenstoe, Bonner, Breth, Cianfrani, Clarke, Comer, Crossin, Curwood, Dougherty, Doughten, Eilberg, Esler, Frascella, Galley, Gallagher, Gelfand,	Gibbons, Gray, Greenlee, Gremminger, Hankins, Hartley, Haudenshield, Henzel, Holl, Irviss, Jones, Kelly, Kornick, Kramer, Lamb, Lee, A. M., Limper, Long, Wm. Jos., Lutty,	Marsh, McCormack, McDevitt, Meholchick, Mills, Monroe, Morley, Mullen, Munley, Murphy, Musto, Needham, O'Donnell, J. A., O'Donnell, J. P., Parlante, Pashley, Perry, Polaski, Polen,	Prendergast, Reidenbach, Riley, Rubin, Rudisill, Rutherford, Scarcelli, Schuster, Shelton, Sherman, Shupnik, Stank, Stimmel, Sullivan, J. A., Taylor, Tomasck, Verona, Welsh,
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NAYS—104

Adams, Anderson, J. H., Ashton, Auker, Blair, Boles, Bossert, Bower, Bush, Buchanan, Capano, Cloff,	Fulmer, Gibb, Goldstein, J. H., Goodrich, Gramlich, Gross, Guesman, Guthrie, Hamilton, Heffner, Helm, Hocker,	Kooker, Korns, Lee, K. B., Lippincott, Magee, Manbeck, Markley, Maxwell, May, McCandless, McCann, McDonald,	Royer, Simmons, Slack, Snare, Steckel, Stiteler, Stone, Sullivan, T. F., Thompson, Tompkins, Ujobal, Varner,
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Davis, Dennison, Donaldson, Edwards, Elvey, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Flynn, Foor, Fox,	Holliday, Holman, Horst, Isaacs, Jim, Johnson, A. W., Johnson, R. P., Kelser, Kernaghan, Kessler, King, Kistler, Klein, Knecht,	McInroy, McNally, Merry, Miller, O'Dell, Odorisio, Ogilvie, Petrosky, Piper, Price, Pursley, Reibman, Renwick, Rovanske,	Wall, Weidner, Wescott, Whittaker, Willard, Willardt, Williams, E. S., Wilt, Wood, Worley, Wynd, Yetter, Zember, Zimmerman,
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NOT VOTING—31

Bowman, Branca, Capitolo, Cauley, Cooley, Dengler, Down, Fineman,	Foerster, Fry, George, Goldstein, M. H., Heavy, Jenkins, Kamyk, Lawson,	Leonard, Long, Wm. Jas., McKeever, McLaughlin, Mihm, Murray, Sakulsky, Schaaf,	Seltzer, Strausser, Trusio, Walsh, Wargo, Williams, A. D., Andrews, Speaker
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Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 748, entitled:

An Act amending the act of July 15, 1957 (P. L. 901), entitled "Optional Third Class City Charter Law" making annual post audits optional.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—175

Adams, Anderson, J. H., Anderson, S. A., Arlene, Ashton, Auker, Bachman, Backenstoe, Blair, Boles, Bonner, Bossert, Bower, Breth, Buchanan, Bush, Capano, Cianfrani, Cloff, Clarke, Comer, Cooley, Crossin, Curwood, Davis, Dennison, Donaldson, Dougherty, Doughten, Edwards, Eilberg, Elvey, Eshback, Esler, Ewing, Farabaugh, Filo, Flynn, Foor,	Gelfand, Gibb, Gibbons, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Gray, Greenlee, Gremminger, Gross, Guesman, Guthrie, Hankins, Hartley, Haudenshield, Heavey, Heffner, Helm, Henzel, Hocker, Holliday, Holman, Irviss, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kelly, Kernaghan, Kessler, Kelser, Kistler, Knecht, King, Kooker,	Leonard, Limper, Lippincott, Long, Wm. Jos., Lutty, Magee, Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McCormack, McDevitt, McDonald, McInroy, McNally, Merry, Miller, Mills, Monroe, Morley, Mullen, Munley, Murphy, Murray, Musto, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, Parlante, Pashley, Perry, Petrosky, Piper,	Reidenbach, Renwick, Riley, Royer, Rubin, Rudisill, Rutherford, Scarcelli, Schuster, Seltzer, Shelton, Sherman, Shupnik, Simmons, Slack, Snare, Stank, Steckel, Stimmel, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomasck, Tompkins, Ujobal, Varner, Verona, Wall, Weidner, Wescott, Whittaker, Willard, Williams, A. D., Williams, E. S., Wilt, Wood, Worley,
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Fox,
Frascella,
Fulmer,
Galley,
Gallagher,

Kornick,
Kramer,
Lamb,
Lee, A. M.,
Lee, K. B.,

Polaski,
Polen,
Price,
Pursley,
Reibman,

Wynd,
Yetter,
Zember,
Zimmerman,

NAYS—7

Eshleman,
Fetterolf,

Holl,
Horst,

Korns,
Stiteler,

Willaredt,

NOT VOTING—28

Bowman,
Branca,
Capitolo,
Caulley,
Dengler,
Down,
Fineman,

Foerster,
Fry,
George,
Hamilton,
Klein,
Lawson,
Long, Wm. Jas.,

McKeever,
McLaughlin,
Meholchick,
Mihm,
Prendergast,
Rovansek,
Sakulsky,

Schaaf,
Stone,
Strausser,
Trusio,
Walsh,
Wargo,
Andrews,

Speaker

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 788, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929" authorizing the Department of Health to institute a blood plasma protein recovery program.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

INTERROGATION

The SPEAKER pro tempore. For what purpose does the minority leader rise?

Mr. A. W. JOHNSON. For the purpose of interrogating the majority leader.

The SPEAKER pro tempore. Will the gentleman from Greene, Mr. McCann, permit himself to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

Mr. A. W. JOHNSON. Mr. Speaker, someone today looking at the calendar said that if we had things agreed to this House could finish up its work by about Wednesday night, which is true. In that connection, so we can get on with the job of the session and know where we go from here, I want to repeat my questions of last week.

Was a Democratic-sponsored reapportionment bill introduced today?

Mr. McCANN. Mr. Speaker, a Democratic-sponsored congressional reapportionment bill was not introduced as of today.

Mr. A. W. JOHNSON. Do you have a reapportionment bill, Mr. Speaker?

Mr. McCANN. We will have a Democratic-sponsored congressional reapportionment bill to introduce in the House this week while the House is in session.

Mr. A. W. JOHNSON. You say, Mr. Speaker, that it will be this week?

Mr. McCANN. While the House is in session.

Mr. A. W. JOHNSON. Would it possibly be tomorrow?

Mr. McCANN. It will be no later than Wednesday.

Mr. A. W. JOHNSON. Mr. Speaker, has the gentleman seen the bill?

Mr. McCANN. I have lived with the thing night and day for months.

Mr. A. W. JOHNSON. Mr. Speaker, another question—

The SPEAKER pro tempore. For what purpose does the gentleman from Allegheny, Mr. Goldstein, rise?

Mr. M. H. GOLDSTEIN. To interrogate the majority leader when the minority leader has ceased.

The SPEAKER pro tempore. The minority leader still has the floor and will proceed.

Mr. A. W. JOHNSON. Mr. Speaker, viewing the calendar and the fact that we do not have a reapportionment bill—and I realize that we have the education problem hovering over us—the real, real important thing of this session is the reapportionment, so could we not say, adjourn tomorrow? If you do not have the reapportionment bill and we could work hard tomorrow and get rid of this calendar, could we not adjourn tomorrow, because really there is not much meat in this calendar to keep us here three days?

Mr. McCANN. Mr. Speaker, I cannot agree with the gentleman. We will not adjourn tomorrow.

Mr. A. W. JOHNSON. Does the gentleman know how many days this week we will be here?

Mr. McCANN. At the present time, as I indicated in my remarks last week, we are attempting to clean up the calendar this week because the House will not—will not—be in session next week.

Mr. A. W. JOHNSON. I thank the gentleman and I will now yield to the gentleman from Allegheny, Mr. Goldstein, and I may want to make some remarks later on.

INTERROGATION

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny, Mr. Goldstein. For what purpose does the gentleman rise?

Mr. M. H. GOLDSTEIN. For the purpose of interrogating the majority leader.

The SPEAKER pro tempore. Will the gentleman from Greene, Mr. McCann, permit himself to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

Mr. M. H. GOLDSTEIN. Did I understand the majority leader to state that a motion for reconsideration of House bill 1814, printer's No. 2511, would be presented?

Mr. McCANN. It should be in writing right now.

Mr. M. H. GOLDSTEIN. Mr. Speaker, will you not give me the consideration that I could have some Republicans to co-sponsor the motion, because you are well aware that I was not in position to change since it appeared originally that the bill had passed?

Mr. McCANN. I certainly would be most willing to co-operate with the gentleman. I do not know from the roll call whether he changed his vote or not. I asked Mr. Petrosky to please find two people immediately who would assist in the reconsideration of House bill 1814 so it could be placed on the postponed calendar today in compliance with the House rule. Then after it fell, I voted some House bills to be in the proper House rule. I asked them to immediately prepare it. I understand it is here now, and

I certainly would be most pleased to have you join in, if you are permitted to.

Mr. M. H. GOLDSTEIN. If the House will give me unanimous consent to do so, I will. If not, I will get a Republican to do it for me.

The SPEAKER pro tempore. The Chair would suggest that the gentleman get a Republican who is qualified under the rule and voted with the prevailing side, which would be the negative.

Mr. McCANN. Mr. Speaker, so the membership will know, I have been informed that the gentleman from Clearfield, Mr. Breth, and the gentleman from Northumberland, Mr. Bower, were to offer the reconsideration motion. Am I correct? Is that satisfactory to the gentleman?

RECONSIDERATION OF VOTE ON HOUSE BILL NO. 1814

Mr. BRETH. Mr. Speaker, I move that the vote by which House bill No. 1814, printer's No. 2511, entitled:

"An Act imposing a tax for general public school purposes in school districts of the first class A on salaries, wages, commissions and other compensation earned by residents thereof and on the net profits earned from businesses, professions or other activities conducted by residents thereof * * *

was defeated on final passage Monday, July 24, 1961, be reconsidered.

Mr. BOWER. Mr. Speaker, I second the motion.

The SPEAKER pro tempore. How did the gentleman from Clearfield, Mr. Breth, vote on the final passage of this bill?

Mr. BRETH. Mr. Speaker, I voted with the prevailing side.

The SPEAKER pro tempore. How did the gentleman from Northumberland, Mr. Bower, vote on the final passage of this bill?

Mr. BOWER. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED

Mr. McCANN. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

STATEMENT BY MINORITY LEADER

Mr. A. W. JOHNSON. Mr. Speaker, I believe I requested permission to make a statement when the gentleman from Allegheny, Mr. Goldstein, had finished.

The SPEAKER pro tempore. The Chair apologizes. The gentleman did make that request.

Mr. A. W. JOHNSON. Mr. Speaker, I feel that this should be said. At the beginning of this session it was expressed in the House Republican caucus that one of the most important measures to come before us this session would be a fair and reasonable reapportionment bill. We have been waiting and waiting and waiting for a Demo-

cratic plan, because, after all, the Democratic Party is in power here; we are not. We put in a couple of plans, but I know they have had only cursory examination on the part of the Democratic side. We have been given the run-around all session long on reapportionment and the people all over the State are wondering who their Congressman is going to be, what is their congressional district going to be. I think that Stephen McCann, the majority leader, has been given the run-around by the Democratic leaders in this State. They have been giving him a lot of double-talk and he comes before us every week and says we are going to have a bill, we are going to have a bill, we are going to have a bill. I think it is terrible the way the Democratic leaders in this State are acting. They promised to sit down with our Republican State chairman and talk over a fair and reasonable reapportionment bill. Our State chairman sat around all last week waiting for a call. Every day he called here. I went to Mr. McCann and said we are ready this week to sit down; Mr. Bloom cancelled a trip to Washington to sit down and talk about reapportionment.

Here we are this week with a calendar. If we had reapportionment on it, we could call it up in no time. I think it is a waste of the members' time. We are just pawns of the Democratic State leadership who are trying to jockey us into the position where they will get the best deal on this reapportionment. The people in this State want reapportionment and they want a fair reapportionment bill. We are playing with something very dangerous here, and I want to tell you, as the Speaker in his message, "Dispelling the Fog," a few weeks ago said, the Democratic Party stands to lose the most if Congressmen are elected at large. We have been willing all month to sit down with you, and you keep putting it off and putting it off.

I am not blaming the majority leader. I think he is acting in good faith, in excellent good faith, but they will not level with him and tell him what is going on. I think tomorrow or the next day the majority leader ought to give us the word so that we do not sit here and twiddle our thumbs. I know we have education on the pan, but I know we have reapportionment, too, and you cannot have one without the other, as I see it. Let us get down to real work here. Tomorrow, Mr. McCann, we would like to have you say, this week we are going to do this, we are going to do that, we are going to get out of here and you are going to have a fair reapportionment bill.

STATEMENT BY MAJORITY LEADER

Mr. McCANN. Mr. Speaker, may I assure the gentleman that there has been more to this problem than meets the eye, particularly from the point of view of the Congress of the United States dealing with the bills that you and I know enlarge the Congress of the United States. There is no question that up to the present time there has been great hope that Pennsylvania may only lose two congressional seats instead of three.

I believe that the so-called discharge resolution of last week had 150-some names dealing with that particular resolution although it does require 260-some to enact that proposed piece of legislation.

I am well aware of the situation and I, of course, have always hoped that we would only lose two congressional

seats instead of three. It has been a very difficult problem and I assure you that we have been working on a congressional reapportionment bill. There is no question but that you have asked time and time again for the introduction of this bill and we certainly want to introduce this legislation. We want to introduce it and have it in the House and in the Senate this week.

ANNOUNCEMENT

Mr. McCANN. Mr. Speaker, I did not have an opportunity to inform the House about next week. Next week while the House will not be in session, the Senate will be in session. When we adjourn this week we will reconvene on Monday August 7.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1541, entitled:

An Act relating to the manufacture sale and possession of drugs devices and cosmetics conferring powers on the courts and the Secretary and Department of Health providing penalties and for the revocation or suspension of certain licenses making an appropriation to the Department of Health and repealing certain acts.

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mrs. HENZEL. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mrs. HENZEL asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Sec. 2, page 3, line 16, by inserting after "intravenously" but not any such drugs which are pre-packaged with complete dosage instructions for use in the care or treatment of poultry and livestock.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 112.

An Act amending the act of May 2, 1945 (P. L. 382),

entitled "Municipality Authorities Act of 1945" changing the rights powers and duties of Authorities heretofore or hereafter created.

SENATE BILL No. 455.

An Act amending the act of May 5, 1933 (P. L. 457), entitled "Building and Loan Code" changing provisions governing the change of the place of business of a branch and changing provisions for the period of public notice for the discontinuance of a branch.

SENATE BILL No. 462.

An Act amending the act of September 8, 1959 (P. L. 846), entitled "An act providing for the destruction of certain records and papers upon petition in counties of the third and fourth classes" removing the requirement of reproduction in counties of the third class.

SENATE BILL No. 526.

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code" defining the crimes of fraudulent use of credit cards and fraudulent obtaining of telecommunications service and prescribing penalties.

SENATE BILL No. 556.

An Act amending the act of May 15, 1933 (P. L. 624), entitled as amended "Banking Code" further regulating certain loans secured by mortgages on deeds of trust on real property.

SENATE BILL No. 557.

An Act amending the act of May 5, 1933 (P. L. 457), entitled "Building and Loan Code" further regulating mortgage loans.

SENATE BILL No. 576.

An Act fixing the salary of the register of wills of Philadelphia.

SENATE BILL No. 582.

An Act amending the act of November 21, 1959 (P. L. 1579), entitled "An act authorizing the Department of Property and Supplies with the approval of the Governor to acquire purchase or lease certain institutions for use by the Department of Public Welfare as youth development centers . . ." authorizing the acquisition of the Thorn Hill School at Warrendale Allegheny County.

SENATE BILL No. 590.

An Act amending the act of June 1, 1959 (P. L. 392), entitled "State Employees' Retirement Code of 1959" defining State employees to include certain civilian employees of the National Guard.

SENATE BILL No. 620.

An Act amending the act of March 30, 1937 (P. L. 115), entitled "The First Class City Permanent Registration Act" increasing compensation of the chairman and other members of the registration commission.

SENATE BILL No. 631.

An Act amending the act of May 5, 1933 (P. L. 457), entitled "Building and Loan Code" authorizing the granting of mortgage loans to industrial development agencies and the acquisition of such loans and participations therein subject to limitations.

SENATE BILL No. 636.

An Act amending the act of April 27, 1927 (P. L. 465), entitled as amended "Fire Safety Building Regulation

Law" requiring that the location of fire extinguishers which are obscured from view be marked.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

COMMITTEE MEEETINGS

APPROPRIATIONS, Mr. Polen, chairman, Room 245, Tuesday, July 25, at 11 a.m.

MOTOR VEHICLES, Mr. Limper, chairman, Room 521, Tuesday, July 25, at 11 a.m.

ALL TIMES ARE DAYLIGHT SAVING TIME

RECONSIDERATION OF VOTE ON HOUSE BILL NO. 1797

Mr. McCANN. Mr. Speaker, I move that the vote by which House bill No. 1797, printer's No. 2378, entitled:

"An Act amending 'The Permanent Registration Act for Cities of the Second Class, Cities of the Second Class A, Cities of the Third Class, Boroughs, Towns and Townships,' approved April 29, 1937 (P. L. 487), further regulating the days, hours and places of registration."

was defeated on final passage Tuesday, July 11, 1961, be reconsidered.

Mr. PETROSKY. Mr. Speaker, I second the motion.

The SPEAKER pro tempore. How did the gentleman from Greene, Mr. McCann, vote on the final passage of this bill?

Mr. McCANN. Mr. Speaker, I voted with the prevailing side.

The SPEAKER pro tempore. How did the gentleman from Westmoreland, Mr. Petrosky, vote on the final passage of this bill?

Mr. PETROSKY. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED

Mr. McCANN. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 456, entitled:

An Act amending the act of May 15, 1933 (P. L. 624), entitled as amended "Banking Code" changing certain provisions with respect to the payment of interest on deposits.

On the question,

Will the House agree to the bill on third reading?

Mr. CLARKE asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Sec. 1 (Sec. 1003), page 3, line 4, by striking out the brackets before and after "A."

Amend Sec. 1 (Sec. 1003), page 3, lines 12 and 13, by striking out "may provide for grace periods not in excess of thirty days with respect to the payment of interest on deposits."

Amend Sec. 1 (Sec. 1003), page 4, by inserting between lines 10 and 11:

B. A bank or a bank and trust company may credit or pay interest on any deposit for the period it has been on deposit with the bank or bank and trust company and for such additional period, not exceeding thirty days in the aggregate, as the department may provide by regulation. It shall also be lawful for deposit accounts closed between interest periods to be credited with interest computed from the last interest period to the date when closed.

Amend Sec. 2 (Sec. 1204), page 4, line 13, by striking out the brackets before and after "A."

Amend Sec. 2 (Sec. 1204), page 4, lines 19 and 20, page 5, line 1, by striking out "may provide" in line 19, all of line 20, page 4, and "of interest on deposits" in line 1, page 5.

Amend Sec. 2 (Sec. 1204), page 5, by inserting between lines 18 and 19:

B. The trustees may declare or allow interest on any deposit for the period it has been on deposit with the savings bank and for such additional period, not exceeding thirty days in the aggregate, as the department may provide by regulation. It shall also be lawful for deposit accounts closed between interest periods to be credited with interest computed from the last interest period to the date closed.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the house agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

TIME EXTENDED ON BILLS

Mr. McCANN asked and obtained unanimous consent to extend the time five days on House bill No. 1106, printer's No. 2012, on page 6 of today's calendar, bills on final passage postponed.

Mr. McCANN asked and obtained unanimous consent to extend the time five days on House bill No. 1248, printer's No. 2425, on page 6, of today's calendar, bills on final passage postponed.

Mr. McCANN asked and obtained unanimous consent to extend the time five days on House bill No. 1697, printer's No. 2459, on page 7 of today's calendar, bills on final passage postponed.

BILLS AND RESOLUTIONS PASSED OVER

Mr. McCANN. Mr. Speaker, I request that all other bills and resolutions not acted upon on today's calendar be passed over.

The SPEAKER pro tempore. The Chair hears no objection.

ADJOURNMENT

Mr. PRICE. Mr. Speaker, I move that this house do now adjourn until Tuesday, July 25, 1961, at 11 a. m., e. s. t.

The motion was agreed to, and (at 4:01 p. m., e. s. t.) the House adjourned.

Legislative Journal.

Session 1961.

145th of the General Assembly.

Vol. 38.

HARRISBURG, PA., TUESDAY, JULY 25, 1961.

No. 81.

SENATE

TUESDAY, JULY 25, 1961.

The Senate met at 11:00 a. m., Eastern Standard Time.

The PRESIDENT (Lieutenant Governor John Morgan Davis) in the Chair.

PRAYER

The Chaplain, Rev. WILLIAM H. STEBBINS, Pastor of Trinity Memorial Lutheran Church, Allentown, offered the following prayer:

Almighty and most gracious God, we thank Thee for this sacred moment when our hearts may be united in prayer. Make us ever mindful of our need of Thy guidance and help and, forgetting all else, cause us to reach up to Thee as Thou art reaching down to us.

We know, Lord, that in this day and age, we have the tendency to rely so strongly upon our own strength, forgetting that Thou hast given unto us every good and perfect gift. Thou hast given us life itself with whatever talents we possess, and the time and the opportunity to use them. May we use them wisely, lest they be lost or taken away.

Deliver us from the mistake of asking and expecting Thy blessing and Thy guidance in our public lives, while closing the doors to Thee in our private living. Lord, Thou knowest what we are wherever we are. Help us to be the best we can be.

This we ask in the name of Jesus Christ, our Lord. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WEINER and Mr. McGINNIS, further reading was dispensed with, and the Journal was approved.

HOUSE MESSAGE

HOUSE BILL FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence **HB 292**, which was referred to the Committee on Highways.

BILLS SIGNED

The President (Lieutenant Governor John Morgan

Davis) in the presence of the Senate signed the following bills: **SB 343, 472, 525, 592, 663, 685, 693 and 748.**

The PRESIDING OFFICER (George N. Wade) in the Chair.

CALENDAR

BILLS ON CONCURRENCE IN HOUSE AMENDMENTS, OVER IN ORDER

SB 192 and 312—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

SB 508 (Pr. No. 1084)—Mr. WEINER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 508.

Mr. McMENAMIN. Mr. President, I second the motion. On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Probert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wagner,
Donolow,	Mahady,	Scott,	Ware, III,
Ehrgood,	Mallery,	Sesler,	Weiner,
Flack,	McCreesh,	Seyler,	Wolfe,
Fleming,	McGinnis,	Shafer,	Yatron,
Haluska,	McMenamin,	Silvert,	Wade,
Hawbaker,	Miller,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS, OVER IN ORDER

SB 509 (Pr. No. 1103)—Mr. WEINER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 509.

Mr. BERGER. Mr. President, I would like to call the attention of the Majority Leader to the language in the title of this bill as it appears on the Calendar.

Mr. WEINER. Mr. President, may the Senate be at ease for a moment? I was looking at the bill and not at the title, as it appears on the Calendar.

The PRESIDING OFFICER. The Senate will be at ease.
(The Senate was at ease.)

Mr. WEINER. Mr. President, I wish to withdraw my motion that the Senate do concur in the amendments made by the House to Senate Bill No. 509, Printer's No. 1103.

I find there is some inconsistency in the title of the measure, as it appears on the Calendar, compared to the bill. I believe there may be some other areas which should be looked into.

Therefore, for the time being, I request that Senate Bill No. 509, Printer's No. 1103, go over in its order.

The PRESIDING OFFICER. There being no objection, the bill will go over in its order.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

SB 529 (Pr. No. 1092)—Mr. WEINER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 529.

Mr. MCGINNIS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Probert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wagner,
Donolow,	Mahady,	Scott,	Ware, III,
Ehrgood,	Mallery,	Sesler,	Weiner,
Flack,	McCreesh,	Seyler,	Wolfe,
Fleming,	McGinnis,	Shafer,	Yatron,
Haluska,	McMenamin,	Silvert,	Wade,
Hawbaker,	Miller,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS, OVER IN ORDER

SB 589—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

CONFERENCE COMMITTEE REPORT, OVER IN ORDER

SB 588—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

RECESS

Mr. WEINER. Mr. President, I request a twenty-five minute recess of the Senate for the purpose of holding a Democratic Caucus and I believe a Republican Caucus, to be held in the respective Caucus Rooms.

Mr. BERGER. Mr. President, that is correct, but it is not necessarily a joint caucus.

Mr. President, may I remind the Republican Senators to please bring their bills to the caucus.

The PRESIDING OFFICER. Are there any objections?

The Chair hears no objection, and declares a twenty-five minute recess of the Senate.

AFTER RECESS

The PRESIDENT (Lieutenant Governor John Morgan Davis) in the Chair.

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

REPORTS FROM COMMITTEES

Mr. BELL, by unanimous consent, from the Committee on Judiciary General, reported, as committed, **SB 168, 348, 702, 843, HB 1217 and 1609.**

Mr. MAHADY, by unanimous consent, from the Committee on Constitutional Changes and Federal Relations, rereported, as committed, **SB 683.**

Mr. HALUSKA, by unanimous consent, from the Committee on Local Government, reported, as committed, **SB 363, 750, 755, 865, 871, HB 156, 320, 1124, 1125, 1275, 1276, 1277, 1278, 1279, 1280, 1427, 1500, 1519, 1522, 1554, 1566 and 1793; as amended, SB 651.**

Mr. CAMIEL, by unanimous consent, from the Committee on Forests and Waters, Game and Fish, reported, as committed, **HB 238 and 376.**

Mr. DEVLIN, by unanimous consent, from the Committee on State Government, reported, as committed, **SB, 861, 875, HB 564, 1081, 1251, 1273 and 1599; as amended, HB 1531.**

RESOLUTION REPORTED FROM COMMITTEE

Mr. DEVLIN, by unanimous consent, from the Committee on State Government, reported without amendment, Senate Concurrent Resolution, **Serial No. 126**, entitled:

Requesting the Public Utility Commission and Interstate Commerce Commission to Study the Bituminous Coal Freight Rates.

The PRESIDENT. The resolution will be placed on the Calendar.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. DEVLIN, by unanimous consent, from the committee on Executive Nominations, reported the following nominations, made by his Excellency, the Governor, which were laid on the table:

TREASURER IN AND FOR THE COUNTY OF INDIANA

July 11, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Earl G. Pifer, 1495 Indian Springs Road, Indiana, Indiana County, for appointment as Treasurer in and for the County of Indiana, until the first Monday of January 1962, vice Hon. Walter Work, deceased.

DAVID L. LAWRENCE

MEMBER OF THE BOARD OF TRUSTEES OF
EAST STROUDSBURG STATE COLLEGE

July 18, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to

nominate for the advice and consent of the Senate Nicholas Petrole, Market Street, Tresckow, Carbon County, for appointment as a member of the Board of Trustees of East Stroudsburg State College, until the third Tuesday of January 1963, and until his successor shall have been appointed and qualified, vice Mrs. Elizabeth Petrole, Tresckow, deceased.

DAVID L. LAWRENCE

MEMBER OF THE BOARD OF TRUSTEES OF
NANTICOKE STATE HOSPITAL

July 18, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Stanley Salva, 15 Market Street, Glen Lyon, Luzerne County, for reappointment as a member of the Board of Trustees of Nanticoke State Hospital, until the third Tuesday of January 1965, and until his successor is appointed and qualified.

DAVID L. LAWRENCE

JUSTICE OF THE PEACE

July 18, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Patrick J. Crawford, 1 Monroe Street, Edinboro, Erie County, for appointment as Justice of the Peace in and for the Borough of Edinboro, Erie County, to serve until the first Monday of January 1962, to fill a vacancy.

DAVID L. LAWRENCE

PERMISSION TO ADDRESS SENATE

Mr. STIEFEL asked and obtained unanimous consent to address the Senate.

Mr. STIEFEL. Mr. President, the bill which I am about to introduce is designated toward the strengthening of morals in Pennsylvania. I believe the motels and hotels generally offer many seductive—I would call it—opportunities. The only way to stop that is to have a register in each motel and each hotel, to prevent visitors frequenting the place or coming there.

This is not now on our statute books. Therefore, in order to cope with the situation, I read in place and present to the Chair such a bill.

BILL INTRODUCED AND REFERRED

Mr. STIEFEL, by unanimous consent, presented to the Chair **SB 883**, entitled:

An Act requiring persons operating hotels, motels and similar facilities to provide and maintain guest registers and prescribing penalties.

Which was committed to the Committee on Judiciary General.

SENATE CONCURRENT RESOLUTION

WEEKLY ADJOURNMENT

Mr. YATRON, by unanimous consent, offered the following resolution, which was read, considered and adopted:

In the Senate, July 25, 1961.

Resolved (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene on

Monday, July 31, 1961, at a time to be fixed by the Senate, and when the House of Representatives adjourns this week, it reconvene on Monday, August 7, 1961, at a time to be fixed by the House of Representatives, unless sooner recalled by the Speaker of the House of Representatives; and be it further

Resolved, That when the Senate adjourns next week, it reconvenes on Monday, August 7, 1961, at a time to be fixed by the Senate.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

BILL INTRODUCED AND REFERRED

Messrs. RIPP, WEINER, BERGER and SHAFER, by unanimous consent, presented to the Chair **SB 884**, entitled:

An Act amending the act of June 1, 1956 (P. L. 1997), entitled "An act relating to comic books, magazines and other publications; prohibiting and regulating the sale thereof in certain instances; and imposing penalties," defining the word "obscene."

Which was committed to the Committee on Law and Order.

The PRESIDENT. At this time, due to the fact that I must go to Kutztown, Pennsylvania, to meet with certain employees of the State, I will turn the gavel over to the distinguished gentleman from Allegheny County, Senator Ripp.

The PRESIDING OFFICER (Joseph D. Ripp) in the Chair.

INQUIRY CONCERNING SENATE BILL No. 104,
PRINTER'S No. 1058

Mr. BERGER. Mr. President, before we proceed to the Final Passage Calendar, I would like to refer to Bills on Concurrence in House Amendments, appearing on pages 1 and 2 of today's Calendar.

I wish to call to the attention of the Chair, and to the Members of the Senate, the fact that the bills appearing on the Calendar which are on Concurrence in House Amendments were passed in the House on July 19, 1961. The day before that, July 18, Senate Bill No. 104 was amended and passed in the House. However, it does not appear for concurrence on today's Calendar.

Mr. President, I wish to inquire whether the message has been received at the desk, stating the amendment to Senate Bill No. 104.

Mr. WEINER. Mr. President, I believe the gentleman's remarks are out of order. We are now on the Calendar and, therefore, I think the gentleman's remarks should come under the order of business of Petitions and Remonstrances, unless there is a question of personal privilege or some other indication.

In answer to the gentleman's question, I would like to point out that pursuant to the rules of Mason's Legislative Manual, under which this Body operates, under Section 763, we can not only take up these matters immediately, but we can take them up—I believe the wording is—at any convenient time.

Other measures have come over here and we have held them at the insistence of some of the Members of this Body for a day or so. Forgive me for mentioning this, but the House sometimes holds a bill for twenty-four hours or longer, and there are times when someone must peti-

tion the Speaker to move it. There is nothing sacred about this problem. It is no different from any other measure. It will be handled in the same manner as any other measure.

It is interesting to note that this bill, on which there is a great deal of pressure from both sides, has become a great matter. It merely involves inanimate objects; namely, trucks. When we were dealing with people, which I think is very important, and when we had matters come over here which dealt with the laboring man and similar measures, I never heard anybody mention a word about bringing those bills out or getting them across the desk very quickly. When we dealt with the education problem or the fair housing problem, I found there was no hurry at all to deal with some of those problems.

If this becomes a serious problem, I will advise the gentlemen on the other side that this measure will receive prompt handling. I can assure the gentleman and the other Members of the Senate, who are quite concerned about this problem, that the bill—if you will excuse the expression—will roll. That will take place as soon as this bill comes across the desk, possibly one day next week.

Mr. BERGER. Mr. President, I wish to compliment the gentleman on the great lesson he has learned from a famous Democrat, and a former President of the United States, on the use of the words "red herring."

Mr. President, in regard to the bill under discussion—which is not a bill that is in committee or is on the Calendar awaiting action—it is one which has been amended in the House. It is a bill which I would assume had been sent over from the House for the concurrence of the Senate.

My only inquiry was whether or not the message had reached the desk. I shall add further inquiry, Mr. President, as to when we may expect it to appear upon the Calendar.

Mr. WEINER. Mr. President, if the gentleman desires to interrogate me, I am always available for interrogation.

Mr. BERGER. Mr. President, I addressed my question to the Chair.

Mr. WEINER. Mr. President, I would like to point out to the Chair that under the Rules of the Senate—and we operate under Mason's Legislative Manual—this measure will come before us, I am sure, in due course. I would like to assure the gentleman that from everything I have been able to learn about the measure,—and I am not completely on the inside or in the know—this measure will be before us sometime next week. Everybody will have an opportunity to vote on it and we will have all of the information.

I would like to also point out to the gentleman that this measure, as it left the Senate and went over to the House, was a little bit different from the measure that is coming back to us because I read it when it was over in the House. This is a rather novel way to introduce a bill. It is a new topic, a new subject, and I think not even germane to the original topic. However, that was overruled because, I understand, there is a ruling about that over in the House. We will have an opportunity to deal with this measure when it comes before us.

I would suggest that the Members of the Senate try to pick up a copy of this bill, as it appears with the House Printer's No., so they can familiarize themselves with it

because when they concur in it, it will be a new measure, never having gone through our regular committee procedure or our procedure here on the floor by which we have an opportunity to debate, on three separate days, measures that come before us.

Mr. BERGER. Mr. President, I wish to thank the gentleman for the information. I was not questioning the applicability of the rules on parliamentary procedure under which we operate. I appreciate his suggestion that we get copies of the bill and read the amendments placed by the House.

I might point out, however, that it would be more convenient and we could read the bills more readily if they were placed on the desk as part of the Calendar procedure, which would seem the orderly course of business.

GUESTS OF SENATOR GUS YARTON PRESENTED TO SENATE

Mr. YARTON. Mr. President, we have with us today here in the State Capitol a group of exchange students from Holland, who are studying at Kutztown State College. They are here under the direction of Mr. Bert van Laar, from Holland; Mr. John B. White, Dean of Men; and Doctor Josef G. Gutekunst, Assistant to the Dean of Instruction at Kutztown State College.

They arrived yesterday in New York from Holland. They will be here until September the 12th.

I would like to request the Chair to acknowledge their presence and welcome them to our Capitol.

Mr. President, while I am still on the floor, I note that we also have a few teachers present from the Reading School District, and I would be remiss if I did not ask that they be acknowledged also. They are Mr. Bromer, Mr. Zogas, Mr. Carabella, and Mr. and Mrs. Davis, of the Reading School District.

The PRESIDING OFFICER. First, may I ask the delegation of students from Holland to please rise and be recognized by the Senate?

I do not know how to say "welcome" in your native tongue, but I do say, on behalf of the Senate, that you are most welcome to be with us this afternoon and see our American form of democracy in operation. Thank you ever so much for being present.

I would like to also have the group from Reading rise for applause. Thank you also for being with us.

We will now resume consideration of today's Calendar, on page 3 thereof, Bills on Final Passage.

FINAL PASSAGE CALENDAR

BILLS OVER IN ORDER

HB 1082, 1140 and 1241—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

BILL ON FINAL PASSAGE

HB 1307 (Pr. No. 2394)—On the question, Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34

Berger,
Chapman,
Confair,
Devlin,

Hawbaker,
Kalman,
Keller,
Kessler,

Murray,
Pechan,
Rooney,
Sarraf,

Stalsey,
Stevenson,
Van Sant,
Wagner,

DiSilvestro, Donolow, Ehrgood, Flack, Haluska,	Kromer, Madigan, McCreesh, McGinnis, Mullin,	Scott, Sesler, Seyler, Shafer,	Ware, III, Weiner, Wolfe, Yatron,
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NAYS—11

Bell, Camel, Fleming,	Lane, Mahady, Mallery,	McMenamin, Propert, Stroup,	Wade, Ripp, Presiding Officer
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A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

HB 1450—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

THIRD READING CALENDAR

BILL ON THIRD READING AND FINAL PASSAGE, RECALLED FROM THE GOVERNOR

SB 114 (Pr. No. 1119)—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell, Berger, Camel, Chapman, Confair, Devlin, DiSilvestro, Donolow, Ehrgood, Flack, Fleming, Haluska, Hawbaker,	Hays, Kalman, Keller, Kessler, Kromer, Lane, Madigan, Mahady, Mallery, McCreesh, McGinnis, McMenamin, Miller,	Mullin, Murray, Pechan, Propert, Rooney, Sarraf, Scott, Sesler, Seyler, Shafer, Silvert, Stalsey,	Stevenson, Stiefel, Stroup, Taylor, Van Sant, Wade, Wagner, Ware, III, Weiner, Wolfe, Yatron, Ripp, Presiding Officer
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NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

APPROPRIATION BILLS OVER IN ORDER

HB 802 and 1198—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

BILL OVER IN ORDER

SB 23—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILL ON THIRD READING, DEFEATED ON FINAL PASSAGE

HB 57 (Pr. No. 57)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—22

Camel, Devlin, DiSilvestro, Donolow, Haluska, Hays,	Kalman, Lane, McCreesh, McGinnis, McMenamin, Mullin,	Murray, Rooney, Sarraf, Sesler, Seyler,	Stalsey, Stiefel, Weiner, Yatron, Ripp, Presiding Officer
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NAYS—26

Bell, Berger, Chapman, Confair, Ehrgood, Flack, Fleming,	Hawbaker, Keller, Kessler, Kromer, Madigan, Mahady, Mallery,	Pechan, Propert, Scott, Shafer, Stevenson, Stroup,	Taylor, Van Sant, Wade, Wagner, Ware, III, Wolfe,
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Less than a majority of all the Senators having voted "aye," the question was determined in the negative, and the bill was defeated.

BILL ON THIRD READING AMENDED

HB 81 (Pr. No. 2187)—Read at length the third time, On the question, Will the Senate agree to the bill on third reading? Mr. ROONEY, by unanimous consent, offered the following amendments:

Amend Title, page 1, fifth line of Title, by inserting after "requiring": certain

Amend Title, page 1, last line of Title, by inserting after "operators": and prescribing penalties

Amend Sec. (Sec. 830.1), page 2, line 10, by inserting after "commercial": motor

Amend Sec. 1 (Sec. 830.1), page 2, line 14, by inserting after "CIAL": motor

Amend Sec. 1 (Sec. 830.1), page 2, line 15, by inserting after "TURE": or to commercial motor vehicles or truck tractors which are clearly identified by the name or trade name of the registered owner

Amend Bill, page 2, by inserting after line 20: Section 2 This act shall take effect June 30 1962

On the question,

Will the Senate agree to the amendments?

They were agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. ROONEY.

BILLS OVER IN ORDER

HB 95, SB 130, HB 161 and SB 225—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

BILL ON THIRD READING AMENDED

SB 238 (Pr. No. 1104)—Read at length the third time, On the question, Will the Senate agree to the bill on third reading? Mr. WEINER, by unanimous consent, offered the following amendments:

Amend Sec. 3 (Sec. 302), page 4, line 16, by inserting after "ICE": with an additional amount as the equivalent of the contributions of the school district and the Commonwealth attributable to such service

Amend Bill, page 5, by inserting between lines 3 and 4:

Section 4 Subsection (8) of section 503 of the act amended December 17 1959 (P L 1929) is amended to read

Section 503 Duties of the Retirement Board—

* * *

(8) In the event that a contributor who has complied with the provisions of article II section 206 subsection (3) and article III section 302 subsection (4) relating to military service or article II section 207 and article III section 302 subsection (5) relating to out-of-state service or article II section 207.1 and article III section 302 subsection (5.1) relating to summer school service or article II section 207.2 and article III section 302 subsection (5.2) relating to former school service separates from the retirement system otherwise than by retirement on account of superannuation disability or withdrawal the retirement board shall pay to him or a designated beneficiary at his request the amount paid by him on account of such military service plus accumulated interest or on account of such out-of-state service or summer school service or former school service as the equivalent of the contributions of the school district and the Commonwealth

Amend Sec. 4, page 5, line 4, by striking out "4" and inserting: 5

Amend Sec. 5, page 5, line 19, by striking out "5" and inserting: 6

On the question,

Will the Senate agree to the amendments?

They were agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. WEINER.

BILLS OVER IN ORDER

SB 260 and 351—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

SB 353—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILL ON THIRD READING AND FINAL PASSAGE

SB 637 (Pr. No. 735)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Berger,	Hays,	Miller,	Stevenson,
Camel,	Kalman,	Mullin,	Stiefel,
Chapman,	Keller,	Murray,	Stroup,
Confair,	Kessler,	Pechan,	Taylor,
Devlin,	Kromer,	Rooney,	Van Sant,
DiSilvestro,	Lane,	Sarraf,	Wagner,
Donolow,	Madigan,	Scott,	Ware, III,
Ehrgood,	Mahady,	Sesler,	Weiner,
Flack,	Mallery,	Seyler,	Wolfe,
Fleming,	McCreesh,	Shafer,	Yatron,
Haluska,	McGinnis,	Silvert,	Ripp,
Hawbaker,	McMenamin,	Staisey,	Presiding Officer

NAYS—3

Bell,	Propert,	Wade,
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A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, that the clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

SB 646, 688 and 690—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

HB 719—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

SB 769, HB 810 and SB 811—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

BILL ON THIRD READING AND FINAL PASSAGE

SB 851 (Pr. No. 1064)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarraf,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Staisey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, that the clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

SB 858—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILL ON THIRD READING AND FINAL PASSAGE

SB 860 (Pr. No. 1088)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarraf,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Staisey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, that the clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

HB 1015—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

HB 1099 and HB 1101—Mr. BERGER. Mr. President, I request that House Bill No. 1099 and House Bill No. 1101 go over in their order.

The PRESIDING OFFICER. Is there objection?

Mr. BERGER. Mr. President, yesterday I made the request that these bills go over in their order. I have now requested that they go over in order as I have received some communications regarding these bills which I would like to verify by further information over the week end. Then if I am satisfied that the bills do not do as much violence as I believe they do, or can make further explanation as to why I believe they should not be passed, I will be prepared to impart that information at the Session next week.

The PRESIDING OFFICER. The Senate will be at ease for just a moment.

(The Senate was at ease.)

Mr. WEINER. Mr. President, I am not objecting formally on the record to these bills going over in order. However, I would like to vote on these measures and pass them or defeat them next week. I think the Senator ought to have an opportunity to get the information he needs on these bills over the weekend. We formally ask that these measures come before us next week since they have been on the Calendar for a long time.

The PRESIDING OFFICER. At this moment, Senator Weiner, you are not objecting to House Bill No. 1099 and House Bill No. 1101 going over in their order?

Mr. WEINER. No, sir. I want the record to show that we will act on them next week.

The PRESIDING OFFICER. There being no objection, the bills will go over in their order.

HB 1172—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

HB 1190—Mr. BERGER. Mr. President, I request that House Bill No. 1190 go over in its order.

The PRESIDING OFFICER. Is there objection?

Mr. WEINER. Mr. President, I would like to make the same objection as I made to the other bills, House Bill No. 1099 and House Bill No. 1101.

The PRESIDING OFFICER. As of today, you are not objecting to this bill going over in its order?

Mr. WEINER. No, sir.

The PRESIDING OFFICER. However, you are asking that action be taken on Monday?

Mr. WEINER. That is correct, Mr. President.

The PRESIDING OFFICER. There being no objection, the bill will go over in its order.

BILL ON THIRD READING AND FINAL PASSAGE

HB 1232 (Pr. No. 1406)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarraf,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,

Flack,
Fleming,
Haluska,
Hawbaker,

McCreesh,
McGinnis,
McMenamin,
Miller,

Shafer,
Silvert,
Stalsey,

Wolfe,
Yatron,
Ripp,
Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, that the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

HB 1263 and 1367—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

BILLS ON THIRD READING AND FINAL PASSAGE

HB 1402 (Pr. No. 2192)—Read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. BERGER. Mr. President, I request that this bill go over in its order.

The PRESIDING OFFICER. Is there objection?

Mr. WEINER. Mr. President, this matter has been before us for some time, also. I would like to bring this to a vote. If the bill passes, that is fine. If it does not, we will just have to take it from there. Why do we not have a vote on this measure and dispose of it once and for all? It has been on the Calendar for some time, and there are people who do feel strongly about it both ways.

The PRESIDING OFFICER. Therefore, Senator Weiner, you are objecting to the bill going over in its order?

Mr. WEINER. May we be at ease for a moment, Mr. President?

The PRESIDING OFFICER. We will be at ease.

(The Senate was at ease.)

Mr. WEINER. Mr. President, I object to this bill going over in order.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. ROONEY. Mr. President, just for the record, I would like to tell Senator Pechan that he came in loud and clear today.

Mr. PECHAN. Mr. President, may I inquire of Senator Rooney whether or not that was on radar which made him hear me so loudly and clearly today?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36

Bell,	Hays,	Murray,	Stroup,
Camiel,	Kalman,	Pechan,	Taylor,
Confair,	Lane,	Rooney,	Van Sant,
Devlin,	Mahady,	Scott,	Wade,
DiSilvestro,	Mallery,	Sesler,	Wagner,
Donolow,	McCreesh,	Seyler,	Ware, III,
Flack,	McGinnis,	Shafer,	Weiner,
Fleming,	McMenamin,	Stalsey,	Wolfe,
Haluska,	Mullin,	Stiefel,	Yatron,

NAYS—11

Berger,	Hawbaker,	Madigan,	Stevenson,
Chapman,	Kessler,	Propert,	Ripp,
Ehrgood,	Kromer,	Sarraf,	Presiding Officer

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 1440 (Pr. No. 1734)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Confair,	Kromer,	Probert,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraff,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,	Staisey,	Ripp,
			Presiding Officer

NAYS—2

Chapman, Kessler,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

HB 1515, 1551 and 1588—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

BILLS ON THIRD READING AND FINAL PASSAGE

HB 1630 (Pr. No. 2479)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Probert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarraff,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Staisey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 1666 (Pr. No. 2516)—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Probert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarraff,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Staisey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

HB 1667 (Pr. No. 2517)—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Probert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarraff,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Staisey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

BILL OVER IN ORDER

HB 1678—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILL ON THIRD READING AND FINAL PASSAGE

HB 1794 (Pr. No. 2367)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarra,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS ON THIRD READING POSTPONED

SB 610 (Pr. No. 1029)—Without objection, the bill was called up from the Postponed Calendar by Mr. WEINER.

BILL ON THIRD READING AND FINAL PASSAGE

SB 610 (Pr. No. 1029)—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Propert,	Stroup,
Chapman,	Kromer,	Rooney,	Taylor,
Confair,	Lane,	Sarra,	Van Sant,
Devlin,	Madigan,	Scott,	Wade,
DiSilvestro,	Mahady,	Sesler,	Ware, III,
Donolow,	Mallery,	Seyler,	Weiner,
Ehrgood,	McCreesh,	Shafer,	Wolfe,
Flack,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

NAYS—4

Fleming,	Kessler,	Pechan,	Wagner,
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A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SB 615 (Pr. No. 703)—Without objection, the bill was called up from the Postponed Calendar by Mr. WEINER.

BILL RECOMMITTED

SB 615 (Pr. No. 703)—Upon motion of Mr. WEINER, seconded by Mr. WEINER, seconded by Mr. LANE, and agreed to, the bill was recommitted to the Committee on Local Government.

SB 796 (Pr. No. 961)—Without objection, the bill was called up from the Postponed Calendar by Mr. WEINER.

BILL RECOMMITTED

SB 796 (Pr. No. 961)—Upon motion of Mr. WEINER, seconded by Mr. LANE, and agreed to, the bill was recommitted to the Committee on Local Government.

HB 1452 (Pr. No. 2215), HB 1453 (Pr. No. 1761), HB 1454 (Pr. No. 1762), HB 1455 (Pr. No. 1763), and HB 1456 (Pr. No. 1764)—Without objection, the bills were called up from the Postponed Calendar by Mr. WEINER.

BILLS RECOMMITTED

HB 1452 (Pr. No. 2215), HB 1453 (Pr. No. 1761), HB 1454 (Pr. No. 1762), HB 1455 (Pr. No. 1763) and HB 1456 (Pr. No. 1764)—Mr. WEINER. Mr. President, I move that House Bills Nos. 1452, 1453, 1454, 1455 and 1456 be recommitted to the Committee on Corporations.

Mr. LANE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. BERGER. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Weiner.

The PRESIDING OFFICER. Will the gentleman from Philadelphia, Mr. Weiner, permit himself to be interrogated?

Mr. WEINER. I will, Mr. President.

Mr. BERGER. Mr. President, I wish to inquire of the Majority Leader what the purpose of the recommitment of these bills may be.

Mr. WEINER. Mr. President, I know of many Members on this side who are in favor of this legislation. However, there seems to be some problem and rather than keep these bills on the Calendar, I would like them to go back to committee and have placed in them whatever amendments they need and bring them back out. I have been advised by the Chairman that he will bring these up at his next meeting, or reconsider them after the amendments have been placed in the bills.

Mr. BERGER. Mr. President, if the Majority Leader assures us that these bills will be again reported from committee, I will certainly not object to the motion to recommit. However, Mr. President, I believe the bills serve a useful purpose. If there are any necessary amendments, then certainly we believe they should be put in. I would, however, like to have the bills reappear upon the Calendar.

Therefore, upon the statement made by the Majority Leader, I will not object to their being returned to committee.

Mr. WEINER. Mr. President, I will publicly ask that the gentleman who is acting as the Presiding Officer of the Senate, Senator Ripp, and who is Chairman of this Committee, duly bring these bills up at his next meeting and also that the amendments be given to him so that he can properly study them before that meeting.

The PRESIDING OFFICER. The Chair will take heed.

And the question recurring,

Will the Senate agree to the motion?

The motion was agreed to and the bills were recommitted.

SECOND READING CALENDAR

BILLS OVER IN ORDER

HB 36, 337 and SB 375—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

SB 473, HB 573 and SB 598—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

SB 611, 613 and 644—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

BILL RECOMMITTED

SB 692 (Pr. No. 805)—Mr. FLEMING. Mr. President, I move that Senate Bill No. 692, Printer's No. 805, be recommitted to the Committee on Labor and Industry for the purpose of further study.

Mr. BERGER. Mr. President, I second the motion. On the question,

Will the Senate agree to the motion?

A voice vote having been taken, the question was determined in the affirmative and the bill was recommitted.

BILL ON SECOND READING

SB 734 (Pr. No. 854)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

SB 758 (Pr. No. 904)—Mr. BERGER. Mr. President, I move that Senate Bill No. 758, Printer's No. 904, be recommitted to the Committee on Law and Order.

Mr. EHRGOOD. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

A voice vote having been taken, the question was determined in the affirmative and the bill was recommitted.

BILLS OVER IN ORDER

SB 791, 801 and 806—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

HB 826, SB 828, 867 and HB 1085—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

BILL ON SECOND READING

HB 1163 (Pr. No. 1563)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

HB 1220 and 1335—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

BILLS ON SECOND READING

HB 1377 (Pr. No. 1628), HB 1446 (Pr. No. 2538), HB 1496 (Pr. No. 1844), HB 1616 (Pr. No. 2030), HB 1617 (Pr. No. 2386) and HB 1621 (Pr. No. 2035)—Read at length the second time and agreed to,

Ordered, to be transcribed for a third reading.

BILLS OVER IN ORDER

HB 1652, 1683 and 1704—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

BILL ON SECOND READING POSTPONED

SB 413 (Pr. No. 445)—Without objection, the bill was called up from the Postponed Calendar by Mr. WEINER.

BILL PLACED ON CALENDAR

SB 413 (Pr. No. 445)—Upon motion of Mr. WEINER seconded by Mr. LANE, and agreed to, the bill was placed on the Second Reading Calendar.

SB 192 CALLED UP

SB 192 (Pr. No. 967)—Without objection, the bill, on concurrence in House amendments, which previously went over in its order, was called up from page 1 of the Calendar by Mr. WEINER.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

SB 192 (Pr. No. 967)—Mr. WEINER. Mr. President, I move that the Senate do nonconcur in the amendment made by the House to Senate Bill No. 192, and that a Committee of Conference on the part of the Senate be appointed.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

Ordered, that the clerk inform the House of Representatives accordingly.

SB 509 CALLED UP

SB 509 (Pr. No. 1103)—Without objection, the bill, on concurrence in House amendments, which previously went over in its order, was called up from page 2 of the Calendar by Mr. WEINER.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

SB 509 (Pr. No. 1103)—Mr. WEINER. Mr. President, I had originally requested that Senate Bill No. 509, Printer's No. 1103, go over in order because there seemed to be some problem in connection with the wording in the title as set forth on the Calendar. However, I find this discrepancy does not exist in the bill itself. The bill actually is correct as it appears on the desks of the Senators.

Therefore, Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 509.

Mr. LANE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Probert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarraff,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, that the clerk inform the House of Representatives accordingly.

BILLS ON FIRST READING

Mr. WEINER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

The bills were as follows:

SB 168, 348, 363, 651, 702, 750, 755, 843, 861, 865, 871, 875, HB 156, 238, 320, 376, 564, 1081, 1124, 1125, 1217, 1251, 1273, 1275, 1276, 1277, 1278, 1279, 1280, 1427, 1500, 1519, 1522, 1531, 1554, 1566, 1599, 1609 and 1793.

And said bills having been read at length for the first time,

Ordered, to be laid aside for second reading.

SENATE RESOLUTION

REQUESTING AN EXPLANATION OF HOUSE BILL NO 1414 FROM THE GOVERNOR

Messrs. WADE, STROUP and WARE, by unanimous consent, offered the following resolution (**Serial No. 88**), which was read as follows:

In the Senate, July 25, 1961.

House Bill No. 1414, Printer's No. 1963, proposes to amend the act of April 9, 1929 (P. L. 343), known as "The Fiscal Code," empowering the Governor to abolish special funds, transfer balances in bond funds to the General Fund, utilize balances in the sinking funds to extinguish the public debt, and providing powers and duties of the Auditor General and the State Treasurer.

In order to thoroughly understand and to intelligently consider this bill, it is imperative that the Administration fully explain its intent and also that it disclose exactly which funds it expects to abolish; therefore be it

RESOLVED, That the Senate of Pennsylvania hereby requests the Governor to explain House Bill No. 1414, and specifically to disclose which funds he would expect to abolish by the authority thereby given; and be it further

RESOLVED, That a copy of this resolution be transmitted to the Honorable David L. Lawrence.

Mr. WADE. Mr. President, because of the attendant confusion when the Clerk read the resolution, and also because I would like to ask for the immediate consideration of this resolution, I will make a very brief statement.

In the first place, yesterday while we were on the Calendar, we considered House Bill No. 1414, which would give the Governor and his Administration, together with the State Treasurer and Auditor General, the privilege of transferring balances in any fund to the General Fund, and thereby abolishing that fund.

It was pointed out in debate that the State Treasurer lists some 58 funds. The balances in those funds—and certainly the Governor or the Administration would not have in mind abolishing the General Fund or the Motor License Fund—total some \$279,742,644. If we had acted favorably on House Bill No. 1414, we would have given the Administration the privilege of taking this practically \$280,000,000 and shifting it as they wished. As it was pointed out by Senator Berger and Senator McMen-

min yesterday, that would have been an extremely bad precedent.

This resolution indicates to every Member of the Legislature—and particularly to every Member of this Senate—that there are certain balances in funds that are no longer considered needed by the Office of Administration of the present Administration. Therefore, the adoption of this resolution, as requested by Senator Stroup, Senator Ware and myself, would indicate to every Member of this Senate just what funds can be abolished or what balances can be transferred to the General Fund.

We all know the need for many, many dollars for this purpose and for that purpose, and always when we finish up a Session of the Legislature, we appropriate more money than is in the budget. That is somewhat of a general practice.

I am sure that the information requested in the resolution would be helpful. However, I do not want to appear to indicate that the Administration is going to take this practically \$280,000,000 and misplace it. I merely, by the introduction of this resolution, want to find out—and I am sure every other one of the forty-nine Senators will be interested in knowing—what funds can be abolished and what balances can be transferred to the General Fund.

Mr. WEINER. Mr. President, I would like to direct the gentleman's attention to House Bill No. 1216, Printer's No. 1739. It gives in detail the names of the funds and what the Governor would like to do with them. Among these funds are the Banking Department Fund, the Milk Control Fund, State Farm Products Show Fund, Oil and Gas Lease Fund, Special Disaster Relief Fund, Historical Preservation Fund, Anthracite Strip Mining Fund, Bituminous Coal Open Pit Mining Reclamation Fund, Special Administration Fund, Feed and Fertilizer Fund, State Harness Racing Fund, Liquid Fuels Tax Fund, Liquor License Fund, Fire Insurance Tax Fund and the Pennsylvania Fair Fund.

The bill goes on to state concerning these funds as follows:

"... shall be insufficient at any time during any fiscal period to meet promptly the expenses of the Commonwealth payable from such fund the State Treasurer is hereby authorized and directed from time to time during such fiscal period to transfer to the General Fund if the same be deficient from one or more of the enumerated funds or to any of the enumerated funds if such be deficient from the General Fund as the case may be such sums as the Governor shall direct Any sum so transferred shall be available for the purposes for which the fund to which they are transferred is appropriated by law . . ." and so on

This allows the Governor to transfer from the General Fund or the reverse; that is, from one fund back to the General Fund.

In House Bill No. 1414, Senator, what we are trying to do—or what the bill is trying to do—is to set up and allow the Governor to transfer this amount of money from these funds, which no longer have any purpose or serve any useful purpose, back into the General Fund. Most of these funds would then contain very small sums compared to what they have been used to, and no other money would have been fed into them. So, they would either die of their own weight or just last until the end of this term.

All we are doing is giving the Chief Executive of the State of Pennsylvania the same authorization that any executive has in any corporation, any bank, or any other unit of business operation. This is all we are asking for in House Bill No. 1414.

Mr. President, I also object to this resolution being considered at this time. I ask that it be sent to the appropriate committee.

Mr. WADE. Mr. President, I was looking for the bill and was unable to locate it.

Do I understand from the Chair that the gentleman has objected to the immediate consideration of this resolution?

The PRESIDING OFFICER. That is correct, sir. Therefore, the Chair is going to refer the matter to the appropriate committee.

Mr. WADE. Mr. President, I would like to object to that. I think this resolution would reveal information which Senator Weiner was unable to give us yesterday. I think the answer he gave us today is only partially correct, for the simple reason that the bill he refers to, House Bill No. 1216, indicates only a transfer of funds between different funds and a subsequent retransfer of equal sums or restoration—as I would understand the title; I do not have the bill—of the original fund. If I understood House Bill No. 1414 correctly, it provides for the abolition of certain funds, and the transfer of those balances to the General Fund is to be a final issue. There is not to be a retransfer at any future time.

Mr. WEINER. Mr. President, I cannot—and I do not believe anyone else can—answer the gentleman's question completely. We are also giving it to them in the future. For example, if we had a large flood and we put emergency money into this flood fund and it was not completely used, and perhaps two, three or four years passed and this money was not used, you would be authorizing the Governor to remove the balance from there and put it into the General Fund. I think this is good housekeeping, as well as good bookkeeping.

That is all we are asking for in this measure. I could not tell you what the exact funds are and neither could anyone else. We do not know what they might be. There might be any number of funds thereafter. We are merely asking that we keep our house in order as well as our books.

The PRESIDING OFFICER. In view of the objection to the immediate consideration of this resolution, the resolution will be referred to the appropriate committee.

Mr. WEINER. Mr. President, despite the fact that the resolution is being sent to committee, I will try to ascertain for the gentleman what specific funds they have in mind, and I will try to get that to him next week. I have already made a telephone call, asking that this information be available to the Senator for his Caucus. If he wants me to give it to anyone else, if he or the person himself mentions it, I will be glad to get a copy for them.

The PRESIDING OFFICER. The resolution is referred to the Committee on Appropriations.

EXECUTIVE NOMINATIONS

By unanimous consent, a motion was made by Mr. DEVLIN and Mr. McCREESH,

That the Senate do now resolve itself into Executive Session for the purpose of considering certain nominations made by the Governor.

Which was agreed to.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. DEVLIN asked and obtained unanimous consent for immediate consideration of the nominations made by His Excellency, the Governor, and reported from committee at today's Session.

NOMINATIONS TAKEN FROM THE TABLE

Mr. DEVLIN. Mr. President, I call from the table for consideration the nominations reported from committee today.

The PRESIDING OFFICER. The Clerk will read the nominations.

The nominations were read by the Clerk as follows:

TREASURER IN AND FOR THE COUNTY OF INDIANA

July 11, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Earl G. Pifer, 1495 Indian Springs Road, Indiana, Indiana County, for appointment as Treasurer in and for the County of Indiana, until the first Monday of January 1962, vice Hon. Walter Work, deceased.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF EAST STROUDSBURG STATE COLLEGE

July 18, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Nicholas Petrole, Market Street, Tresckow, Carbon County, for appointment as a member of the Board of Trustees of East Stroudsburg State College, until the third Tuesday of January 1963 and until his successor shall have been appointed and qualified, vice Mrs. Elizabeth Petrole, Tresckow, deceased.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF NANTICOKE STATE HOSPITAL

July 18, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Stanley Salva, 15 Market Street, Glen Lyon, Luzerne County, for reappointment as a member of the Board of Trustees of Nanticoke State Hospital, until the third Tuesday of January 1965 and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

July 18, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Patrick J. Crawford, 1 Monroe Street, Edinboro, Erie County, for appointment as Justice of the Peace in and for the Borough of Edinboro, Erie County, to serve until the first Monday of January 1962, to fill a vacancy.

DAVID L. LAWRENCE.

On the question,

Will the Senate advise and consent to the nominations?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Probert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarraf,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, that the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. DEVLIN. Mr. President, I move that the Executive Session do now rise.

Mr. MCGINNIS. Mr. President, I second the motion.

The motion was agreed to.

NOMINATIONS BY THE GOVERNOR
REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations:

MEMBERS OF THE BOARD OF TRUSTEES OF
SHIPPENSBURG STATE COLLEGE

July 25, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Shippensburg State College, until the third Tuesday of January 1967, and until their successors are appointed and qualified:

Raymond A. Myers, Sr., 350 Walnut Street, Lemoyne, Cumberland County.

J. Boyd Landis, 535 Moorland Avenue, Carlisle, Cumberland County.

DAVID L. LAWRENCE.

COMMUNICATIONS FROM THE GOVERNOR

APPROVAL OF SENATE BILLS

He also presented communications in writing from His Excellency, the Governor, advising that the following Senate Bills had been approved and signed by the Governor:

SB 181, 197, 222, 380, 419, 427, 446, 475, 479 and 497.

HOUSE MESSAGE

HOUSE CONCURS IN SENATE CONCURRENT
RESOLUTION

The Clerk of the House of Representatives being introduced, informed the Senate that the House has concurred in resolution from the Senate, entitled:

Weekly Adjournment

COMMITTEE OF CONFERENCE APPOINTED
ON SB 192

The PRESIDING OFFICER. The Chair announces, on behalf of the President pro tempore, the appointment of Messrs. ROONEY, DONOLOW and WADE, as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (if the House shall appoint such committee) to consider the differences existing between the two houses in relation to Senate Bill No. 192.

Ordered, that the clerk inform the House of Representatives accordingly.

The President pro tempore (Anthony J. DiSilvestro) in the Chair.

BILLS SIGNED

The President pro tempore (Anthony J. DiSilvestro) in the presence of the Senate signed the following bills:

HB 616, 828, 987, 1206 and 1207.

The PRESIDING OFFICER (Joseph D. Ripp) in the Chair.

ANNOUNCEMENTS BY THE SECRETARY

The following announcements were read by the Secretary of the Senate:

COMMITTEE MEETINGS

MONDAY, JULY 31, 1961

Eastern Daylight

Saving Time

Committee

Room

12:30 P.M. Forests and Waters, Game and Fish .. 539A

DEMOCRATIC CAUCUS 1:00 P.M., D.S.T.

REPUBLICAN CAUCUS 1:00 P.M., D.S.T.

ADJOURNMENT

Mr. WEINER. Mr. President, I move that the Senate do now adjourn until Monday, July 31, 1961, at 2:00 p.m., Eastern Standard Time.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 3:35 p.m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

TUESDAY, July 25, 1961

The House met at 11 a. m., e. s. t.

The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

O God of tender mercy and everlasting might, it is with the acknowledgment that Thou dost share our joys as well as our happinesses that we approach Thee in this session. We know that success is not an individual matter but an accumulative affair; it means that the combined efforts of all working for one goal are needed to achieve success. O Gracious Father, we humbly pray for the success of Thy work in the hearts and minds of men; and we ask Thee to bring forth the best efforts of these servants of Thine to achieve that purpose. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Monday, July 24, 1961, will be postponed until printed.

The Chair hears none.

Mr. HELM IN THE CHAIR

PERMISSION TO ADDRESS HOUSE

Mr. MARSH asked and obtained unanimous consent to address the House.

Yesterday afternoon, Mr. Speaker, upon the introduction of the amendments to Senate bill 716, I was interrogated by Mr. Worley as to the intent of the teaching of communism in our schools. He asked whether this was to be done objectively to which I answered "Yes." It is on this word "yes" that I wish to elucidate.

Our Country faces the most serious crisis in its history. We wonder how the greatest, the richest and the most powerful nation in the world has gotten pushed into a corner as we have been by a seemingly inferior nation. Are we really a giant with feet of clay?

In order to understand something about our adversary, we should understand a little about the geography of the Soviet Union. It is a frightening thing to look in an atlas and see this great country stretched over one-sixth of the earth's surface but, when you think that more than one-third of the country is permafrost, most of the country is over the 50th degree latitude which, of course, is the same latitude as Newfoundland and Canada, it does not seem so frightening after all. The climate, of course, runs down to 40 degrees below zero in winter with tremendously hot summers which make agriculture quite difficult. If there is an Achilles heel to the Soviet Union it is in agriculture. In 1913, with only half the population which it has today, they were not able to feed their people any better than with twice the population which they have today. So agriculture is really their most serious problem which is facing this great Country and our adversary.

We must remember one thing about the foreign policy of the Soviet Union. Through the years of the czars it was expansion to the Pacific, an outlet to warm waters, a

window to the Atlantic and Norway, and warm waters to Persia and India and into the Black Sea through the Mediterranean and on to warm waters. It was at this time we came into conflict with the Soviet Union, or the czarist domination of the country which got into conflict with the United States on the Monroe Doctrine. The point I am trying to bring out is that the new communist policy is a continuation of the Soviet policy of world expansion and world conquest.

Forty years ago the Bolsheviks declared war to the death on capitalism. Now it has been necessary to change the communistic ideal to a religion and the strong weapon in this conquest and in this foreign policy of theirs in order to expand their world dominion. No country has ever accepted this policy except through force.

One of the first gospels of the Communists is, of course, that we are to have an ideal socialism, then pure communism, and eventually no government at all. In fact, the opposite has happened. The longer this system continues the more they fasten the yoke upon their people and the more enslaved they become. That is another point which we should teach our children about this insidious program.

Marx intended his theories for Germany and never had the idea of putting this reactionary and unnatural status of man into a country like the Soviet Union. This reactionary and unnatural status of man has no pity, no human kindness. There is no humor in this new religion. It is an evil intended to reduce man to sub-human level to be mastered by State and dictators. It is a monolithic society as old as Egypt. This is a fact we must teach our boys and girls in our schools.

The principal tenet of communism is called "dialectic materialism." It means we are the product of our natural environment just like the trees and plants surrounding us, without any spirituality. One of the other tenets, of course, is the hatred for the middle class and is one of the oldest weapons in the arsenal of communism.

In our own Country 300 years ago, Governor Bradford of the Massachusetts Colony instituted a communistic society and, as we all know, it failed miserably. We have had other societies such as Harmony in Pennsylvania and Zion, Illinois. There has been no revolution which has departed so widely from the aims of the Soviet revolution. For hundreds of years the revolutionary cry was for land and bread and this was to be a classless Utopia where the ideals would be met. Instead we have a classless country which now has become one of the most rigidly stratified privileged classes in the world. These new classes in the Soviet Union are resented tremendously by the common people. The idealistic dynamism of the early revolutionaries is being replaced by primitive incentives and the desire for wealth and power. It is certainly a great departure from the original aim and that is something which our students should know in the study of this new religion of communism.

They have a constitution, it is true. The constitution of 1936 claimed to be the most democratic in the world with all the guarantees of a sovereign people, freedom of speech, freedom of religion, freedom of assembly, and they have all been nullified by one clause which says that the Communist Party must be the directing nucleus in all social and governmental affairs and that the absolute ruler

must stand outside the constitution, so their ideal constitution has turned out to be the strictest dictatorship that ever existed in the history of the world.

Three percent of the population runs the other 200 million people in the country. The leaders are hard-driving, aggressive, dedicated men. They put in long hours and they put them in with a vengeance. They have the zeal and fanaticism which our early Christians had in the early centuries of Christendom, and we know that zeal and fanaticism upset the entire Roman Empire and the world at that time.

As far as the workers in the Soviet Union are concerned, more than two-thirds receive less than \$100 per month. The average is around \$80. Skilled industrial workers get \$320 and architects as much as \$2,000 a month, up to ballerinas who receive as much as \$3,000 a month. This certainly does not sound like a classless Utopia, with such wide variance in salaries. One of the lowest groups, something like 8 million persons, was increased to a subsistence level of not more than \$50 a month in our money. When you consider that it takes \$40 to buy a single pair of shoes, you must see what a tremendously low wage the people in this country receive.

If communism is so successful, why is it that after 42 years they have no freedom of speech, religion or censorship and they still have the secret police? It is necessary to jam radio and it is a crime to leave. These are some of the facts which we must teach our children about communism.

Why is it necessary to assign a major portion of the budget, manpower and brains to the internal security of the country? Why is it necessary to have a few model farms and a few model nurseries and prisons and factories to show the visitors how wonderfully their plans have succeeded and the rest of the people will never know? The sum and substance of the whole plan is that they promise the people what we already have.

One fact about a despotic state is that they are able to get such dramatic results by funneling their entire economic power and forces like a nozzle on a hose and direct it wherever they need to, wherever it is necessary, much like Pharaoh built the pyramids. These are other facts about which we must tell our students—the effects of communism.

The principal plan, of course, is to overthrow all the governments in the world and replace them with a Communist dictatorship centrally controlled by Moscow. This is another thing we must tell our students about communism.

In order to carry on this revolution it has been necessary to place the people in a straight jacket and after that was done to use a propaganda approach to the entire world such as peaceful democracy, peaceful coexistence, and to credit all good to the Kremlin and all bad to a legacy of the past. They believe in self-determination for the peoples of Africa and other countries but not in self-determination for themselves. That is another fact we must tell our students in our schools.

One of their main policies throughout the long course of history was the indirect approach, deception and distraction, attrition and wearing down. One of their principal plans against the United States, of course, is to make this

tremendous all-out push in technology, in engineers and scientists, to export them to other nations to undermine the United States. The second one is to ruin our economy by ruining our best industries by specific attacks and technical advances and wrecking our system at home and abroad. They have embarked on a tremendous program of economic warfare.

The next thing they intend to do is to draw undeveloped areas into the Moscow orbit, shutting off our technical, political and raw materials from the other countries of the world. In short, it is to reduce the United States to a fat Sweden or a fat Switzerland, happy, with no will and ready to drop from the tree like a ripened apple.

We must teach our students about this strange religion, this propensity to falsehood, treachery, deceit, undependability and lack of ethics. Teach our students about our American Revolution, that it is the only true revolution, the shot fired at Concord that was heard around the world and is still reverberating where men want to be free.

The Russian people have long been friends of the Americans. There has never been a greater relief program in the history of the world than that conducted by former President Hoover in 1923 when 20 million Russians were saved from starvation. The trips which the Allies made to Murmansk in which they lost 90 percent of their ships, that is something I hope the Russians will long remember.

In teaching our children in the schools about communism the children will be sure to spot anything phoney. They can see through fakery better than adults. We should shed the light of knowledge on this Communist religion and they will surely understand it. The principal thought, of course, is to make our children safe for ideas and not make ideas safe for students. I trust in our American students' good judgment and that we will all become better Americans because of this.

The SPEAKER pro tempore. The Chair would like to remind the members of the House that, under the unanimous consent rule of this House, they are limited to 10 minutes. The Chair feels the gentleman exceeded his time by a considerable amount, but the Chair tried to be as lenient as possible in letting him get his remarks in the record. The gentleman could have made his remarks under the bill as it was before the House.

The Chair will now recognize the gentleman from Blair, Mr. Holliday, who asks unanimous consent to make a statement.

PERMISSION TO ADDRESS HOUSE

Mr. HOLLIDAY asked and obtained unanimous consent to address the House.

Mr. Speaker, on April 5th of this year I addressed the members of this legislative body for the purpose of bringing to their attention the contamination of Bells Gap Run in Blair County, the contamination being caused in part by drainage from a coal stripping operation located on the watershed from which tributary streams supply two reservoirs. To substantiate my statement that the water in this stream was contaminated and had a highly acid content, I brought to the attention of the members of this House the fact that over 1,200 brook trout, furnished by the State for stocking purposes, were all found dead within 24 hours after they were placed in the run last spring.

I contacted various members of the Fish Commission, the Department of Mines, the Sanitary Water Board, the Bureau of Health and Mine Drainage, bringing to their attention this contamination. After talking to those contacted, I requested that prompt action should be instigated, not only to stop such contamination, but to see that such situations could not develop in the future.

During my speech on April 5th, I stated that it was my belief that much of the criticism leveled at the stripping industry and the stripping operators could have been avoided by a more stringent enforcement of the laws now on the statutes, and, although I have a certain hesitancy in offering criticism of any department head or officials as to how they administer the affairs of their departments, after reading and listening to the publicity which is currently being given the strip mining industry through the newspapers, radio, television, personal interviews and public hearings, I feel that my inference that "more stringent enforcement of the laws now on the books" might at least tend to eliminate some of the public's antipathy to strip mining and might also be of benefit in helping to eliminate some of its problems in the future.

To more clearly bring into focus and substantiate my implied criticism of the manner in which this Bells Gap Run contamination has been handled over a period of years, I would like to quote from correspondence I have received from different departments in answer to letters I addressed to them.

This letter dated June 22, 1961, is in answer to one I had written Secretary Wilbar, expressing my hope that proper steps would be taken to invoke whatever penalties were applicable for this stream contamination. Here is the first portion of Secretary Wilbar's letter and I quote:

This is with further reference to our correspondence concerning the C. E. Powell Coal Company operation in Antis Township, Blair County, on the watershed of Bell Gap Run.

This operation was originally investigated by the Department on February 26, 1958, at which time it was determined that the operation was a clay stripping operation with all acid-forming materials and other objectionable materials being removed from the Bell Gap Run watershed. At the time, the operation was classified by both the Department of Mines and the Department of Labor and Industry as a clay mine.

That is the end of the quotation. Now, Mr. Speaker, there are various types of coal mines and there are various types of clay mines, but we are concerned only with this particular operation, and in this area the clay lies below the coal seam except at outcrop and, therefore, before one can strip the clay he must first strip off the coal. And if coal is being stripped, I contend, and rightfully so, that it is and must be considered and classified as a coal-stripping operation and subject to all laws and regulations pertaining to that industry. The moment any vein of coal is uncovered, it becomes exposed to oxygen in the air, to rain, snow and other natural elements, all of which tend to set up chemical reaction. Drainage from such exposed coal will absolutely contaminate any uncontaminated stream.

In the light of that statement, let us again examine Secretary Wilbar's statement that, and I quote: "All acid forming materials and other objectionable materials being

removed from the Bells Gap Watershed, and that the Department of Mines and the Department of Labor and Industry classified this operation as a clay mine."

Now, let us move ahead one year and examine the next paragraph of the secretary's letter, and again I quote:

"An investigation made early in January, 1959, revealed that coal from the operation was being disposed of off the property and was not salable."

For the life of me, Mr. Speaker, I cannot see how the salability of coal taken from a stripping operation can or should be the determining factor as to the classification of the operation. Coal is coal, some good and some poor, and drainage from either will still contaminate.

Yes, as stated in the secretary's letter, this coal was being removed or disposed of off the operation. It was being hauled down near the tippie to a large stock pile where it could, in time, possibly be mixed in with coal of a better analysis and disposed of in that manner.

Now let us remember those two dates: February 1958 and January 1959 and move on to the next paragraph, and again I quote: "It was not until late 1960 that it was determined that the company was mining and selling coal. Upon notice from the Department, the company discontinued the mining of both clay and coal in December, 1960, as set forth in my letter of May 12, 1961." And so, at long last someone finally discovers that this operator had for the past several years been stripping and selling coal, and no doubt some clay, and all during that time acid contaminated water had been draining out of this pit into what had for years been a pure mountain stream, rendering it totally useless for fishing, and while it may still be considered as potable and safe for human consumption, it is far from being palatable, as the citizens of Bellwood Borough can attest to.

With quotations from this letter from Secretary Wilbar, I have called your attention to three dates: February 1958, January 1959, and December 1960, which covered a period of three years, during which time drainage from this stripping operation was causing stream contamination because someone had decided that the coal being removed was not salable and, therefore, the operation was classified as a clay mine for which no Sanitary Water Board permit was necessary. This poses the question as to the legal basis for such a decision, and also we might paraphrase the old question as to "which comes first, the chicken or the egg?" and ask the courts, "Which comes first, the coal or the clay?"

And now, upon whom and where should the blame and responsibility be placed for permitting a situation and condition such as has been described to exist and continue for over three years? One's first conclusion might be to place the entire blame on the operator. I would agree that the operator must be held liable for and assume a certain amount of the blame, but not all of it, for when permission was granted to open a stripping operation on this watershed, proper investigation by the Sanitary Water Board would have shown that there was bound to be acid contamination draining from this operation into a heretofore uncontaminated stream and, having had this knowledge, the board should have refused permission to strip on this watershed. But when someone is naive enough to believe that you can strip coal and do this without any drainage

contamination, and go on record to this effect by stating that such an operation is a clay and not a coal stripping operation and therefore did not need a permit, who can blame the operator for taking advantage of such a decision?

During the Senate committee hearings recently held I heard Mr. Evans, the Secretary of Mines, outline certain limits of jurisdictional responsibility of his bureau with reference to strip mining.

In talking to members of his department, I was also given to understand that the bureau of mines is not responsible for seeing that a stripping operator has a clearance permit from the Sanitary Water Board, and can complete negotiations with an operator regarding his bond and mine permit approval without definitely knowing whether the proposed operation has or has not been approved by the Sanitary Water Board.

It is my belief that, having a Bureau of Mines, that department might well be given the necessary power and authority to govern and administer all phases of the mining industry, whether it be coal, clay, stone quarries, sand, and so forth. And that before any permits were granted, it would be up to the Bureau of Mines to see that all legal requirements as to bonds, maps, safety requirements, stream clearance permits and backfilling agreements had been met and complied with before any permit was issued.

In conclusion, Mr. Speaker, it is my firm conviction that the Joint State Government Committee should set up a task force to make a thorough and complete study of the stripping industry and submit its recommendations as to changing the present laws so as to protect the public, the stripping operators and the property owners. Also, I might say, Mr. Speaker, in this Bells Run controversy, I have received exceptionally fine cooperation from the Fish Commission and steps are now in process to have the State reimbursed for the fish killed. We will now await action on the part of the Sanitary Water Board.

REPORTS FROM COMMITTEE

Mr. FILO from the Committee on Motor Vehicles, reported as amended, House bill No. 691, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), providing for commercial motor vehicle operators' licenses, setting fees for such licenses; further regulating suspension and revocation of licenses and imposing penalties.

Mr. WILLAREDT from the Committee on Appropriations, reported as amended, House bill No. 1219, entitled:

An Act amending the "State Employees' Retirement Code of 1959," approved June 1, 1959 (P. L. 392), preventing the diminution of the present value of a superannuation retirement allowance for all classes of membership.

Mr. RENWICK from the Committee on Motor Vehicles, reported as amended, House bill No. 1620, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), further defining "dealer," further providing for the use of dealer's registration plates, providing for the issuance of special moving permits for mobile-homes, house trailers and office trailers in lieu of registration thereof, * * *.

Mr. GIBB from the Committee on Motor Vehicles, reported as committed, House bill No. 520, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), granting a credit for certain suspensions toward revocation penalties, including motorcycles within the provisions relating to reflectors and reflective materials, providing for enforcement of equipment requirements, further defining the duty to stop in the event of an accident, * * *.

Mr. WILLAREDT from the Committee on Appropriations, reported as committed, House bill No. 1050, entitled:

An Act making an appropriation to the Paoli Memorial Association for improvements and repairs and for re-erection of a wall on the Paoli Parade Ground situate in Malvern Borough, Chester County.

Mr. WILLAREDT from the Committee on Appropriations, re-reported as committed, House bill No. 1625, entitled:

An Act to provide for an additional law judge of the court of common pleas in the fiftieth judicial district and making an appropriation.

Mr. WILLAREDT from the Committee on Appropriations, re-reported as amended, House bill No. 1831, entitled:

An Act increasing the number of courts of common pleas in the County of Philadelphia establishing therein a distinct and separate court of common pleas designated court of common pleas number eight and providing for the appointment and election of judges for the court.

Mr. WILLAREDT from the Committee on Appropriations, re-reported as amended, Senate bill No. 20, entitled:

An Act establishing a separate orphans' court in and for the County of Bucks.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 520, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), granting a credit for certain suspensions toward revocation penalties, including motorcycles within the provisions relating to reflectors and reflective materials, providing for enforcement of equipment requirements, further defining the duty to stop in the event of an accident, * * *.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1050, entitled:

An Act making an appropriation to the Paoli Memorial Association for improvements and repairs and for re-erection of a wall on the Paoli Parade Ground situate in Malvern Borough, Chester County.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

SENATE MESSAGE

TIME OF NEXT MEETING

The clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, July 25, 1961.

Resolved (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene on Monday, July 31, 1961, at a time to be fixed by the Senate, and when the House of Representatives adjourns this week, it reconvene on Monday, August 7, 1961, at a time to be fixed by the House of Representatives, unless sooner recalled by the Speaker of the House of Representatives; and be it further

Resolved, That when the Senate adjourns next week, it reconvene on Monday, August 7, 1961, at a time to be fixed by the Senate.

Ordered, that the clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate? It was concurred in.

Ordered, that the clerk inform the Senate accordingly.

BILL INTRODUCED AND REFERRED

By Mr. POLEN.

HOUSE BILL No. 1839.

An Act making an appropriation to The United States Constitution 175th Anniversary Commission of Pennsylvania.

Referred to the Committee on Appropriations.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 196.

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" authorizing the extension of sabbatical leaves of absence because of sickness or physical disability.

Referred to the Committee on Education.

SENATE BILL No. 584.

An Act creating an Employment Emergency Fund providing for payment of money out of the fund for specific purposes and making an appropriation.

Referred to the Committee on Appropriations.

SENATE BILL No. 586.

An Act making an appropriation to the Department of Commerce so that they may make grants for technical research for the development of new products.

Referred to the Committee on Appropriations.

SENATE BILL No. 852.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey land situate in Derry Township, Mifflin County, Pennsylvania.

Referred to the Committee on State Government.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. KAMYK asked and obtained permission for the Committee on Ways and Means to meet during the session of the House.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 616.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), providing for the renewal of provisional college certificates.

HOUSE BILL No. 828.

An Act amending "The Military Code of 1949" approved May 27, 1949, changing the measure of relief for disability or death of personnel on active duty.

HOUSE BILL No. 987.

An Act authorizing minor spouses to join with their adult spouse in the conveyance or mortgaging of their real estate and to execute bonds or other obligations in connection therewith and validating such actions taken.

HOUSE BILL No. 1206.

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), providing that enlisted members of the Pennsylvania State Police shall not be dismissed from service or reduced in rank except by action of a court martial board held upon the recommendation of the Commissioner and the Governor.

HOUSE BILL No. 1207.

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), regulating the dismissal suspension demotion and reenlistment of enlisted members of the Pennsylvania State Police.

SENATE BILL No. 201.

An Act amending the act of June 24, 1937 (P. L. 2017), entitled "County Institution District Law" further regulating the powers and duties of local authorities as to persons in foster homes and as to children and youth and further regulating payments for care.

SENATE BILL No. 343.

An Act amending the act of September 26, 1951 (P. L. 1539), entitled "The Analytical-Biochemical-Biological Laboratory Act" removing certain exemptions and providing for rules and regulations.

SENATE BILL No. 472.

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code" requiring a copy of the application to be sent to the police or the sheriff where the seller's place of business is located and where the buyer resides.

SENATE BILL No. 525.

An Act authorizing members of any profession to organize an association to render the type of service which the members are authorized to render providing for the regulation of the association and its members and employees and imposing powers and duties on the association and its members.

SENATE BILL No. 527.

An Act amending the act of October 27, 1955 (P. L. 744), entitled as amended "Pennsylvania Human Relations Act" increasing the membership of the commission and changing quorum provisions.

SENATE BILL No. 592.

An Act amending the act of June 1, 1945 (P. L. 1242), entitled "State Highway Law" providing for payment by the Commonwealth of damages occasioned by a change of width lines or grades of streets designated as State highways in cities of the second class second class A and third class.

SENATE BILL No. 663.

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code" prohibiting debt pooling business voiding contracts for debt pooling and providing penalties.

SENATE BILL No. 674.

An Act amending the act of June 23, 1931 (P. L. 932), entitled "The Third Class City Code" permitting cities to make appropriations to industrial development agencies.

SENATE BILL No. 684.

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" removing provisions relating to the districting of State colleges.

SENATE BILL No. 685.

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" further providing for the administration of allocation of unencumbered funds.

SENATE BILL No. 693.

An Act making an appropriation to the committee appointed by the General Assembly to examine the issue of the abolition of capital punishment in Pennsylvania.

SENATE BILL No. 701.

An Act amending the act of July 7, 1947 (P. L. 1368), entitled "Real Estate Tax Sale Law" further regulating notice given to delinquent taxables.

SENATE BILL No. 735.

An Act amending the act of December 22, 1951 (P. L. 1726), entitled "Pennsylvania Loyalty Act" excluding from the provisions of the act certain teachers who are citizens or subjects of foreign countries.

SENATE BILL No. 746.

An Act to regulate the sale and distribution for agricultural purposes of ground limestone burned and hydrated lime gypsum slag and related products in the Commonwealth of Pennsylvania conferring powers and imposing duties on the Department of Agriculture establishing fees making an appropriation and prescribing penalties.

SENATE BILL No. 747.

An Act defining milk and its derivatives prohibiting its adulteration regulating its labeling sale and serving imposing powers and duties on the Department of Agriculture providing penalties and making repeals.

SENATE BILL No. 748.

An Act amending the act of July 15, 1957 (P. L. 901), entitled "Optional Third Class City Charter Law" making annual post audits optional.

SENATE BILL No. 757.

An Act amending the act of July 7, 1947 (P. L. 1368), entitled "Real Estate Tax Sale Law" requiring taxes levied for the current year to be included in the upset price at the sale of any property upon a claim absolute.

SENATE BILL No. 760.

An Act amending the act of June 25, 1947 (P. L. 1145), entitled as amended "Local Tax Enabling Law" providing for an official register of earned income tax levies and relieving employers from reporting the earnings and withholding the taxes of their employes with respect to levies not listed in the register and relieving employers from liability when employes misinform the employers as to their place of residence.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 300.

An Act amending the "Dog Law of 1921" approved May 11, 1921 (P. L. 522), requiring informations to be brought before the nearest available magistrate or justice of the peace.

HOUSE BILL No. 761.

An Act making an appropriation to the Department of Commerce for payments of grants to local agencies for tourist promotional assistance.

HOUSE BILL No. 769.

An Act making an appropriation to the Department of Military Affairs for the payment of services of the Civil Air Patrol.

HOUSE BILL No. 799.

An Act making an appropriation to the Department of Public Welfare for payment of grants to political subdivisions for services for the aging and making an additional appropriation of moneys received for such purposes.

HOUSE BILL No. 805.

An Act making an appropriation for the maintenance repair and improvement of the Port of Philadelphia.

HOUSE BILL No. 806.

An Act making an appropriation to the City of Harrisburg, Pennsylvania.

HOUSE BILL No. 1193.

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for certain capital improvements in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

HOUSE BILL No. 1194.

An Act making an appropriation to the Department of Military Affairs for certain capital improvements in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

HOUSE BILL No. 1195.

An Act making an appropriation to the Department of Health for certain capital improvements in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

HOUSE BILL No. 1196.

An Act making appropriations to the Department of Public Welfare for certain capital improvements in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

HOUSE BILL No. 1197.

An Act making an appropriation to the Department of Justice for certain capital improvements in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

HOUSE BILL No. 1199.

An Act making appropriations to the Department of Forests and Waters for certain capital improvements in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

HOUSE BILL No. 1234.

An Act amending "The Pennsylvania Workmen's Compensation Act" approved June 2, 1915 (P. L. 736), increasing liability for burial costs.

HOUSE BILL No. 1403.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey .78 acres more or less of land situate in the Borough of East Stroudsburg Monroe County.

HOUSE BILL No. 1476.

An Act amending the "State Public School Building Authority Act" approved July 5, 1947 (P. L. 1217), authorizing the Authority to convey projects to school districts when all bonded indebtedness and other obligations incurred in the financing of such projects have been finally paid and discharged.

With the information that the Senate has passed the same without amendment.

SENATE MESSAGE

AMENDED SENATE BILLS CONCURRED IN BY
SENATE

The clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bills numbered and entitled as follows:

SENATE BILL No. 472.

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code" requiring a copy of the application to be sent to the police or the sheriff where the seller's place of business is located and where the buyer resides.

SENATE BILL No. 525.

An Act authorizing members of any profession to organize an association to render the type of service which the members are authorized to render providing for the regulation of the association and its members and employees and imposing powers and duties on the association and its members.

SENATE BILL No. 592.

An Act amending the act of June 1, 1945 (P. L. 1242), entitled "State Highway Law" providing for payment by the Commonwealth of damages occasioned by a change of

width lines or grades of streets designated as State highways in cities of the second class second class A and third class.

SENATE BILL No. 663.

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code" prohibiting debt pooling business voiding contracts for debt pooling and providing penalties.

SENATE BILL No. 693.

An Act making an appropriation to the committee appointed by the General Assembly to examine the issue of the abolition of capital punishment in Pennsylvania.

SENATE MESSAGE

The clerk of the senate being introduced, presented extracts from the Journal of the Senate:

Amended House bill returned for concurrence No. 1098.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 137, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the repair and restoration of the Caleb Pusey House subject to certain conditions.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 667, entitled:

An Act creating and establishing a continuing career system for technical and professional personnel in or assigned to the Department of Highways establishing and vesting certain powers in the Highways Technical and Professional Personnel Board and making an appropriation.

The first and second sections were separately read and agreed to.

The third section was read.

On the question,

Will the House agree to the section?

Mr. McCANN offered the following amendments:

Amend Sec. 3, page 2, line 18, by striking out "but shall not be restricted to"

Amend Sec. 3, page 3, by inserting between lines 3 and 4:

- (vi) economists
- (vii) geodesists
- (viii) photogrammetrists
- (ix) architects
- (x) landscape architects

Amend Sec 3, page 3, line 9, by striking out "but shall not be restricted to"

Amend Sec. 3, page 3, by inserting between lines 16 and 17:

- (viii) highway and structural design assistants
- (ix) materials test technicians
- (x) roadside development technicians
- (xi) highway equipment specialists
- (xii) data processing machine operators and specialists.

They were agreed to.

The section was agreed to as amended.

The fourth to the twelfth sections inclusive and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 751, entitled:

An Act amending the act of April 18, 1929 (P. L. 612), entitled "An act for the election of the president members of town council and auditors in incorporated towns of the Commonwealth . . ." redesignating the president of the town council as the mayor.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

RECONSIDERATION OF VOTE ON SENATE BILL NO. 84

Mr. HAMILTON. Mr. Speaker, I move that the vote by which Senate bill No. 84, printer's No. 274, entitled:

"An Act amending the act of June 25, 1947 (P. L. 1145), entitled as amended 'Local Tax Enabling Law,' changing the overall limit of tax revenues for certain taxing districts."

was defeated on final passage Monday, July 17, 1961, be reconsidered.

Mr. WESCOTT. Mr. Speaker, I second the motion.

The SPEAKER pro tempore. How did the gentleman from Beaver, Mr. Hamilton, vote on the final passage of this bill?

Mr. HAMILTON. Mr. Speaker, I voted with the prevailing side.

The SPEAKER pro tempore. How did the gentleman from Susquehanna, Mr. Wescott, vote on the final passage of this bill?

Mr. WESCOTT. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED

Mr. McCANN. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

RECONSIDERATION OF VOTE ON SENATE BILL NO. 697

Mr. McCANN. Mr. Speaker, I move that the vote by which Senate bill No. 697, printer's No. 810, entitled:

"An Act amending the act of March 10, 1949 (P. L. 30), entitled 'Public School Code of 1949,' providing for reconsideration of decisions in annexation proceedings."

was defeated on final passage Monday, July 24, 1961, be reconsidered.

Mr. PETROSKY. Mr. Speaker, I second the motion.

The SPEAKER pro tempore. How did the gentleman from Greene, Mr. McCann, vote on the final passage of this bill?

Mr. McCANN. Mr. Speaker, I voted with the prevailing side.

The SPEAKER pro tempore. How did the gentleman from Westmoreland, Mr. Petrosky, vote on the final passage of this bill?

Mr. PETROSKY. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED

Mr. McCANN. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

RECONSIDERATION OF VOTE ON SENATE BILL NO. 601

Mr. McCANN. Mr. Speaker, I move that the vote by which Senate bill No. 601, printer's No. 865, entitled:

"An Act amending the act of April 29, 1959 (P. L. 58), entitled 'The Vehicle Code,' permitting motor vehicles owned and used by certain persons engaged in collecting news to be equipped with a warning light."

was defeated on final passage Tuesday, July 18, 1961, be reconsidered.

Mr. COOLEY. Mr. Speaker, I second the motion.

The SPEAKER pro tempore. How did the gentleman from Greene, Mr. McCann, vote on the final passage of this bill?

Mr. McCANN. Mr. Speaker, I voted with the prevailing side.

The SPEAKER pro tempore. How did the gentleman from Fayette, Mr. Cooley, vote on the final passage of this bill?

Mr. COOLEY. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED

Mr. McCANN. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 106, entitled:

An Act amending the act of August 5, 1941 (P. L. 803), entitled as amended "An act providing for the creation maintenance and operation of a county employes' retirement system in counties of the fifth sixth seventh and eighth class . . ." requiring the creation of a county retirement system in counties of the fifth and sixth class.

On the question,

Will the House agree to the bill on third reading?

Mr. McCANN asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Sec. 1 (Sec. 2), page 3, line 12, by striking out "1962" and inserting 1963

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1340, entitled:

An Act amending the act of July 11, 1917 (P. L. 758), entitled "An act for the protection of the public health by regulating the possession control dealing in giving away delivery dispensing administering prescribing and use of certain drugs * * * and by providing for the enforcement of this act and penalties" giving trials for violation of the act precedence over all other criminal trials and regulating postponements.

On the question,

Will the House agree to the bill on third reading?

Mr. IRVIS asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Sec. 1 (Sec. 12), page 3, line 2, by striking out "the" where it appears the first time, and inserting a

Amend Sec. 1 (Sec. 12), page 3, line 3, by striking out "The" and inserting A

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

REPORT FROM COMMITTEE

Mr. FRASCELLA from the Committee on Ways and Means, reported as committed, House bill No. 1789, entitled:

An Act to provide revenue for Commonwealth purposes by imposing an excise tax on rents, royalties, interest, dividends and capital gains from investment capital as defined of individual residents and nonresidents of the Commonwealth and of estates and trusts, fixing the rates of tax thereon, providing for the reporting and payment of tax, interest and penalties, assessments, collections, liens reviews, appeals, refunds and penalties, and conferring powers and imposing duties upon the Department of Revenue, fiduciaries, partnerships, associations and individuals.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1789, entitled:

An Act to provide revenue for Commonwealth purposes by imposing an excise tax on rents, royalties, interest, dividends and capital gains from investment capital as defined of individual residents and nonresidents of the Commonwealth and of estates and trusts, fixing the rates of tax thereon, providing for the reporting and payment of tax, interest and penalties, assessments, collections, liens, reviews, appeals, refunds and penalties, and conferring powers and imposing duties upon the Department of Revenue, fiduciaries, partnerships, associations and individuals.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

The SPEAKER pro tempore. The Chair recognizes the minority leader, Mr. Johnson.

Mr. A. W. JOHNSON. Mr. Speaker, I understand that the clerk is going to read the numbers of the bills that are being re-referred from the Select Committee on Education to the Committee on Education.

The SPEAKER pro tempore. That is correct.

Mr. A. W. JOHNSON. Mr. Speaker, may I say to the membership then that it would be wise for every member of this House to take down the numbers of these bills. These bills may be intensely important in considering an education program, so if the clerk will read them slowly and the members will take these numbers down, it may aid them materially in planning the education future.

The SPEAKER pro tempore. The clerk will read the report.

BILLS RE-REFERRED

Mrs. REIBMAN from the Select Committee on Education, returned with the recommendation that it be re-referred to the Committee on Education, House bill No. 122, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), further regulating compensation for sabbatical leaves for employes of school districts.

The SPEAKER pro tempore. The bill is re-referred to the Committee on Education.

Mrs. REIBMAN from the Select Committee on Education, returned with the recommendation that it be re-referred to the Committee on Education, House bill No. 352, entitled:

An Act amending the act of January 18, 1952 (P. L. 2111), entitled "An act to provide for minimum compensation and increments for administrators and members of the faculty of State Teachers Colleges; **," increasing the minimum compensation and increments, and changing conditions of payment.

The SPEAKER pro tempore. The bill is re-referred to the Committee on Education.

Mrs. REIBMAN from the Select Committee on Education, returned with the recommendation that it be re-referred to the Committee on Education, House bill No. 475, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for additional

increments for professional employes having thirty years of public school service.

The SPEAKER pro tempore. The bill is re-referred to the Committee on Education.

Mrs. REIBMAN from the Select Committee on Education, returned with the recommendation that it be re-referred to the Committee on Education, House bill No. 1026, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing a general standard reimbursement fraction for certain purposes where reimbursement fractions are used and revising the basis for reimbursements on account of instructions.

The SPEAKER pro tempore. The bill is re-referred to the Committee on Education.

Mrs. REIBMAN from the Select Committee on Education, returned with the recommendation that it be re-referred to the Committee on Education, House bill No. 1027, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for the payment of minimum salaries and increments of county and district superintendents, assistant county and district superintendents, principals, supervising principals, teachers and other employes.

The SPEAKER pro tempore. The bill is re-referred to the Committee on Education.

Mrs. REIBMAN from the Select Committee on Education, returned with the recommendation that it be re-referred to the Committee on Education, House bill No. 1073, entitled:

A Supplement to the act of April 1, 1863 (P. L. 213), entitled "An act to accept the grant of Public Lands, by the United States, to the several sates, for the endowment of Agricultural Colleges," making an appropriation for carrying the same into effect.

The SPEAKER pro tempore. The bill is re-referred to the Committee on Education.

Mrs. REIBMAN from the Select Committee on Education, returned with the recommendation that it be re-referred to the Committee on Education, House bill No. 1512, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), further providing for the building or rebuilding of schools and the preparation of drawings for such schools and repealing certain provisions concerning heating and ventilating regulations.

The SPEAKER pro tempore. The bill is re-referred to the Committee on Education.

Mrs. REIBMAN from the Select Committee on Education, returned with the recommendation that it be re-referred to the Committee on Education, House bill No. 1700, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), providing scholarships and loans to graduates of secondary schools.

The SPEAKER pro tempore. The bill is re-referred to the Committee on Education.

Mrs. REIBMAN from the Select Committee on Educa-

tion, returned with the recommendation that it be re-referred to the Committee on Education, House bill No. 1701, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), changing the per pupil unit cost reimbursement for elementary and secondary school construction authorizing reimbursement in the year of acquisition for school building sites purchased in advance of their need and harmonizing provisions related thereto and extending the provisions for reimbursement or preliminary payments on account of approved building construction to include the State Public School Building Authority and Municipal Authorities and abolishing the cost limitations on school building projects for reimbursement purposes.

The SPEAKER pro tempore. The bill is re-referred to the Committee on Education.

Mrs. REIBMAN from the Select Committee on Education, returned with the recommendation that it be re-referred to the Committee on Education, House bill No. 1702, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for the creation, establishment and operation of community colleges; granting certain powers to the State Council of Education and the Department of Public Instruction; ***.

The SPEAKER pro tempore. The bill is re-referred to the Committee on Education.

Mrs. REIBMAN from the Select Committee on Education, returned with the recommendation that it be re-referred to the Committee on Education, House bill No. 1713, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), granting powers to and imposing duties upon the State Council of Education, granting and imposing certain powers to and duties upon the Department of Public Instruction, and requiring a biennial report to the General Assembly.

The SPEAKER pro tempore. The bill is re-referred to the Committee on Education.

Mrs. REIBMAN from the Select Committee on Education, returned with the recommendation that it be re-referred to the Committee on Education, House bill No. 1716, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), increasing the term of office of treasurers of school districts, providing for the collection of taxes, establishing the office of superintendent of schools and assistants and the manner of their election," providing for the reorganization of school districts, creating a commission, abolishing county boards of school directors and certain offices, discontinuing certain district boards of school directors and district offices, providing for the election of school boards in reorganized school districts, levying certain taxes in reorganized school districts, providing for the debts and assets of existing school districts and making an appropriation.

The SPEAKER pro tempore. The bill is re-referred to the Committee on Education.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mrs. REIBMAN asked and obtained permission for the Committee on Education to meet during the session of the House.

REPORTS FROM COMMITTEE

Mrs. S. A. ANDERSON from the Committee on Education, reported as committed, House bill No. 1701, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), changing the per pupil unit cost reimbursement for elementary and secondary school construction authorizing reimbursement in the year of acquisition for school building sites purchased in advance of their need and harmonizing provisions related thereto and extending the provisions for reimbursement or preliminary payments on account of approved building construction to include the State Public School Building Authority and Municipal Authorities and abolishing the cost limitations on school building projects for reimbursement purposes.

Mrs. S. A. ANDERSON from the Committee on Education, reported as committed, House bill No. 1702, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for the creation, establishment and operation of community colleges; granting certain powers to the State Council of Education and the Department of public Instruction; * * *.

Mrs. S. A. ANDERSON from the Committee on Education, reported as committed, House bill No. 1807, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), changing certain definitions, providing additional definitions, changing basis for reimbursement by the Commonwealth on certain accounts, consolidating certain provisions, further providing for reimbursement by the Commonwealth to school districts and vocational school districts, providing payments for specialized services and harmonizing language of existing law.

Mrs. S. A. ANDERSON from the Committee on Education, reported as committed, House bill No. 1817, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949, providing for minimum compensation and increments, and maximum, mandated salary and increments, and for qualifications for administrators and members of the faculty of State colleges; providing for leaves of absence; * * *.

Mrs. S. A. ANDERSON from the Committee on Education, reported as committed, House bill No. 1836, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), further classifying school districts and providing for the reorganization of school districts.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1701, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), changing the per pupil unit cost reimbursement for elementary and secondary school construction authorizing reimbursement in the year of acquisition for school building sites purchased in advance of their need and harmonizing provisions related thereto and extending the provisions for reimbursement or preliminary payments on account of approved building construction to include the State Public School Building Authority and Municipal Authorities and abolishing the cost limitations on school building projects for reimbursement purposes.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1702, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for the creation, establishment and operation of community colleges; granting certain powers to the State Council of Education and the Department of Public Instruction; * * *.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1807, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), changing certain definitions, providing additional definitions, changing basis for reimbursement by the Commonwealth on certain accounts, consolidating certain provisions, further providing for reimbursement by the Commonwealth to school districts and vocational school districts, providing payments for specialized services and harmonizing language of existing law.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1817, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949, providing for minimum compensation and increments, and maximum, mandated salary and increments, and for qualifications for administrators and members of the faculty of State colleges; providing for leaves of absence; * * *.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1836, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), further classifying school districts and providing for the reorganization of school districts.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

The SPEAKER pro tempore. What is the pleasure of the majority leader?

Mr. McCANN. Mr. Speaker, I am going to request that the chief clerk in the printing of the calendar, beginning with tomorrow, place the special education bills that were just read by the gentleman, plus the one bill reported from the Committee on Ways and Means, in one section of the calendar together, even though the numbers were not called in proper order, and that they be held together in the one section traveling in the calendar.

The SPEAKER pro tempore. The bills will be handled as a package. The Chair will so instruct the chief clerk. They will be titled, "Education Bills Second Reading."

DEMOCRATIC CAUCUS

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. McCANN. Mr. Speaker, we are going to ask for a

recess of one hour and 30 minutes. We are going to ask for 30 minutes immediately for lunch. I ask the Democratic members to bring their House calendars with them and please come to the caucus room promptly—promptly—one-half hour from now for a Democratic caucus which is most important. Every Democratic member should be present. Bring your calendars with you.

The cafeteria is ready for lunch and you will have an opportunity to eat. Then come to the caucus room immediately and be there for an important caucus.

REPUBLICAN CAUCUS

The SPEAKER pro tempore. The Chair recognizes the minority leader.

Mr. A. W. JOHNSON. Mr. Speaker, we will call the same caucus. Lunch now for one-half hour, and then meet in caucus. That will actually be 2 o'clock, will it not?

The SPEAKER pro tempore. That is correct.

Mr. A. W. JOHNSON. We will caucus then for one hour.

RECESS

The SPEAKER pro tempore. Without objection, the Chair will declare a recess of one hour and thirty minutes. The Chair hears none, and a recess is declared.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR

LEAVES OF ABSENCE

By unanimous consent leaves of absence were granted as follows:

Mr. Dougherty for Mr. FOERSTER for today because of illness.

Mr. Dougherty for Mr. CAULEY for today because of illness.

Mr. Dougherty for Mr. WARGO for today because of illness.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1541, entitled:

An Act relating to the manufacture sale and possession of drugs devices and cosmetics conferring powers on the courts and the Secretary and Department of Health providing penalties and for the revocation or suspension of certain licenses making an appropriation to the Department of Health and repealing certain acts.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—152

Adams,	Gray,	Limper,	Riley.
Ashton,	Gremminger,	Lippincott,	Rovanse,
Auker,	Guthrie,	Long, Wm. Jos.,	Royer.
Bachman	Hamilton,	Lutty,	Rubin,
Backenstoe,	Hankins,	Magee,	Schaaf,
Blair,	Hartley,	Manbeck,	Schuster,
Boles,	Haudenshield,	Markley,	Shupnik,
Bonner,	Heffner,	Marsh,	Simmons,
Bower,	Helm,	Maxwell,	Slack,
Branca,	Henzel,	McCandless,	Snare,

Buchanan,	Hocker,	McCann,	Stank,
Bush,	Holl,	McCormack,	Steckel,
Cianfrani,	Holliday,	McDevitt,	Stimmel,
Cioffi,	Holman,	McInroy,	Stone,
Cooley,	Horst,	McKeever,	Sullivan, J. A.,
Crossin,	Irvis,	McNally,	Taylor,
Dennison,	Isaacs,	Merry,	Thompson,
Donaldson,	Jim,	Miller,	Tomascik,
Doughten,	Johnson, A. W.,	Mills,	Tompkins,
Elvey,	Johnson, R. P.,	Monroe,	Trusio,
Eshback,	Jones,	Morley,	Ujobai,
Esler,	Kamyk,	Munley,	Varner,
Ewing,	Kelser,	Musto,	Verona,
Fetterolf,	Kelly,	Needham,	Weidner,
Filo,	Kernaghan,	O'Dell,	Welsh,
Fineman,	Kessler,	O'Donnell, J. A.,	Wescott,
Fry,	King,	Odorisio,	Whittaker,
Fulmer,	Kistler,	Ogilvie,	Willard,
Galley,	Klein,	Pashley,	Willard,
Gallagher,	Knecht,	Perry,	Williams, A. D.,
Gelfand,	Kooker,	Petrosky,	Williams, E. S.,
George,	Kornick,	Piper,	Wilt,
Gibb,	Kramer,	Polaski,	Wood,
Gibbons,	Lamb,	Polen,	Wynd,
Goldstein, J. H.,	Lawson,	Prendergast,	Yetter,
Goldstein, M. H.,	Lee, A. M.,	Pursley,	Zember,
Goodrich,	Lee, K. B.,	Rebman,	Zimmerman,
Gramlich,	Leonard,	Reidenbach,	Andrews,
			Speaker

NAYS—43

Anderson, J. H.	Ellberg,	Jenkins,	Rutherford,
Anderson, S. A.,	Eshleman,	Korns,	Sakulsky,
Arlene,	Farabaugh,	May,	Scarcelli,
Bossert,	Flynn,	Meholchick,	Shelton,
Breth,	Foor,	Mullen,	Sherman,
Capano,	Fox,	Murphy,	Stiteler,
Comer,	Frascella,	Murray,	Sullivan, T. F.,
Curwood,	Greenlee,	Parlante,	Wall,
Davis,	Gross,	Price,	Walsh,
Dougherty,	Guesman,	Renwick,	Worley,
Edwards,	Heavey,	Rudisill,	

NOT VOTING—15

Bowman,	Dengler,	McDonald	Seltzer,
Capitolo,	Down,	McLaughlin,	Strausser,
Cauley,	Foerster,	Mihm,	Wargo,
Clarke,	Long, Wm. Jas.,	O'Donnell, J. P.,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1598, entitled:

An Act relating to the regulation of the practice of pharmacy including the sale use and distribution of drugs and devices at retail and amending revising consolidating and repealing certain laws relating thereto.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—117

Adams,	Goldstein, J. H.,	Lippincott,	Royer,
Ashton,	Goldstein, M. H.,	Long, Wm. Jos.,	Rubin,
Auker,	Goodrich,	Lutty,	Schaaf,
Bachman	Gray,	Magee,	Schuster,
Backenstoe,	Guthrie,	Manbeck,	Shupnik,
Blair,	Hamilton,	Markley,	Simmons,
Boles,	Haudenshield,	Marsh,	Slack,
Bonner,	Heffner,	Maxwell,	Steckel,
Bower,	Helm,	McCandless,	Stimmel,
Branca,	Henzel,	McCann,	Sullivan, J. A.,
Buchanan,	Hocker,	McCormack,	Thompson,
Bush,	Holl,	McDevitt,	Tomascik,
Cioffi,	Holliday,	McInroy,	Tompkins,

Crossin, Dennison, Donaldson, Doughten, Elvey, Eshback, Esler, Ewing, Fetterolf, Fry, Fulmer, Gallagher, Gelfand, George, Gibb, Gibbons, Gramlich,	Holman, Horst, Irviss, Isaacs, Johnson, A. W., Johnson, R. P., Kelser, Kessler, King, Kistler, Knecht, Kooker, Kramer, Lamb, Lee, A. M., Lee, K. B.,	Merry, Miller, Mills, Munley, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, Pashley, Piper, Polaski, Polen, Prendergast, Pursley, Reidenbach,	Ujobal, Varner, Weidner, Wescott, Whittaker, Willard, Willaredt, Williams, A. D., Williams, E. S., Wilt, Wood, Wynd, Yetter, Zember, Zimmerman, Andrews, Speaker
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NAYS—76

Anderson, S. A., Anderson, J. H. Arlene, Bossert, Breth, Capano, Cianfrani, Comer, Cooley, Curwood, Davis, Dougherty, Edwards, Elberg, Eshleman, Farabaugh, Filo, Fineman, Flynn,	Foor, Fox, Frascella, Galley, Greenlee, Gremminger, Gross, Guesman, Monroe, Hankins, Hartley, Heavey, Jenkins, Jim, Jones, Kamyk, Kelly, Klein, Kornick, Korns,	Lawson, Leonard, Limper, May, McKeever, McNally, Meholchick, Sherman, Morley, Mullen, Murray, Musto, Needham, Parlante, Perry, Petrosky, Price, Reibman, Renwick,	Riley, Rovanssek, Rudisill, Rutherford, Sakulsky, Scarcelli, Shelton, Sherman, Snare, Stank, Stiteler, Sullivan, T. F., Taylor, Truslo, Verona, Wall, Walsh, Welsh, Worley,
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NOT VOTING—17

Bowman, Capitolo, Cauley, Clarke, Dengler,	Down, Foerster, Kernaghan, Long, Wm. Jas.,	McDonald McLaughlin, Mihm, Murphy,	Seltzer, Stone, Strausser, Wargo,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

BILL ON FINAL PASSAGE POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on final passage of House bill No. 1814, entitled:

An Act imposing a tax for general public school purposes in school districts of the first class A on salaries wages commissions and other compensation earned by residents thereof and on the net profits earned from businesses professions or other activities conducted by residents thereof * * *.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—122

Anderson, S. A., Arlene, Auker, Bachman, Backenstoe, Blair, Bonner, Bower, Comer,	Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Gray, Greenlee, Gremminger, Guesman, Hankins,	Limper, Long, Wm. Jos., Lutty, Magee, Manbeck, Markley, Marsh, McCandless, McCann,	Reibman, Reidenbach, Riley, Rovanssek, Rubin, Rudisill, Scarcelli, Shelton, Simmons,
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Cooley, Davis, Dennison, Donaldson, Dougherty, Doughten, Elberg, Elvey, Eshback, Eshleman, Esler, Ewing, Farabaugh, Fetterolf, Fineman, Foor, Fox, Fry, Fulmer, Galley, Gallagher, Gibb,	Hartley, Haudenshield, Heavy, Henzel, Holliday, Irviss, Jim, Johnson, A. W., Jones, Kamyk, Kelly, King, Knecht, Kooker, Kornick, Korns, Kramer, Lamb, Lawson, Lee, A. M., Lee, K. B., Leonard,	McCormack, McDevitt, McDonald, McInroy, McLaughlin, McNally, Monroe, Morley, Mullen, Munley, O'Dell, O'Donnell, J. A., Parlante, Pashley, Perry, Petrosky, Polaski, Polen, Prendergast, Price, Pursley,	Snare, Steckel, Stimmel, Stiteler, Sullivan, J. A., Thompson, Tomascik, Tompkins, Truslo, Verona, Wall, Wescott, Willard, Willaredt, Williams, A. D., Williams, E. S., Wilt, Wood, Yetter, Zimmerman, Andrews, Speaker
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NAYS—73

Adams, Anderson, J. H., Ashton, Boles, Bossert, Branca, Breth, Buchanan, Bush, Capano, Cianfrani, Clarke, Crossin, Curwood, Edwards, Filo, Flynn, Frascella, Gelfand,	Gibbons, Gross, Guthrie, Hamilton, Heffner, Helm, Hocker, Holl, Holman, Horst, Isaacs, Jenkins, Johnson, R. P., Kelser, Kernaghan, Kessler, Kistler, Klein,	Lippincott, May, McKeever, Meholchick, Merry, Miller, Murphy, Murray, Musto, Needham, O'Donnell, J. P., Odorisio, Ogilvie, Piper, Renwick, Royer, Rutherford, Sakulsky,	Schaaf, Schuster, Sherman, Shupnik, Slack, Stank, Stone, Sullivan, T. F., Taylor, Ujobal, Varner, Walsh, Weidner, Welsh, Whittaker, Worley, Wynd, Zember,
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NOT VOTING—15

Bowman, Capitolo, Cauley, Cloff,	Dengler, Down, Foerster, George,	Long, Wm. Jas., Maxwell, Mihm, Mills,	Seltzer, Strausser, Wargo,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Mr. CAPITOLO. Mr. Speaker, I tried to get your attention. I tried to vote on that bill. I would have voted "aye" if I could have voted.

The SPEAKER. The remarks of the gentleman will be spread upon the record.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1813, entitled:

An Act repealing section 663 act of March 10, 1949 (P. L. 30), known as the "Public School Code of 1949" abolishing the levy and assessment of per capita taxes by school districts of the first class having a population of less than one million five hundred thousand persons and providing for the collection of due and delinquent taxes.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

Anderson, S. A.,	Gibb,	Long, Wm. Jos.,	Rovansek,
Arlene,	Gibbons,	Lutty,	Royer,
Ashton,	Goldstein, J. H.,	Magee,	Rubin,
Auker,	Goldstein, M. H.,	Manbeck,	Rudisill,
Bachman,	Goodrich,	Markley,	Rutherford,
Backenstoe,	Gramlich,	Marsh,	Sakulsky,
Blair,	Gray,	Maxwell,	Scarcell,
Boles,	Greenlee,	May,	Schaaf,
Bonner,	Gremminger,	McCandless,	Schuster,
Bower,	Guesman,	McCann,	Shelton,
Branca,	Guthrie,	McCormack,	Sherman,
Breth,	Hamilton,	McDevitt,	Shupnik,
Buchanan,	Hankins,	McDonald,	Simmons,
Bush,	Hartley,	McInroy,	Slack,
Capitolo,	Haudenshield,	McKeever,	Snare,
Cianfrani,	Heavey,	McLaughlin,	Stank,
Cioffi,	Helm,	McNally,	Steckel,
Clarke,	Henzel,	Meholchick,	Stimmel,
Comer,	Hocker,	Merry,	Stiteler,
Cooley,	Holliday,	Miller,	Stone,
Crossin,	Holman,	Mills,	Sullivan, J. A.,
Curwood,	Horst,	Monroe,	Sullivan, T. F.,
Davis,	Irviss,	Morley,	Taylor,
Dennison,	Jenkins,	Mullen,	Thompson,
Donaldson,	Jim,	Munley,	Tomascik,
Dougherty,	Johnson, A. W.,	Murphy,	Tompkins,
Doughten,	Johnson, R. P.,	Murray,	Truslo,
Edwards,	Jones,	Musto,	Ujobal,
Ellberg,	Kamyk,	Needham,	Varner,
Elvey,	Kelser,	O'Dell,	Verona,
Eshback,	Kelly,	O'Donnell, J. A.,	Wall,
Eshleman,	Kernaghan,	O'Donnell, J. P.,	Walsh,
Esler,	Kessler,	Odorisio,	Welsh,
Ewing,	King,	Ogilvie,	Wescott,
Farabaugh,	Kistler,	Parlante,	Whittaker,
Fetterolf,	Klein,	Pashley,	Willard,
Filo,	Knecht,	Perry,	Willaredt,
Fineman,	Kooker,	Petrosky,	Williams, A. D.,
Flynn,	Kornick,	Piper,	Williams, E. S.,
Foor,	Korns,	Polaski,	Wilt,
Fox,	Kramer,	Prendergast,	Wood,
Frascella,	Lamb,	Price,	Worley,
Fry,	Lawson,	Pursley,	Wynd,
Fulmer,	Lee, A. M.,	Reibman,	Yetter,
Galley,	Lee, K. B.,	Reidenbach,	Zember,
Gallagher,	Leonard,	Renwick,	Zimmerman,
Gelfand,	Limper,	Riley,	Andrews,
George,	Lippincott,		Speaker

NAYS—8

Adams,	Bossert,	Gross,	Isaacs,
Anderson, J. H.,	Capano,	Holl,	Weldner,

NOT VOTING—12

Bowman,	Down,	Long, Wm. Jas.,	Seltzer,
Cauley,	Foerster,	Mihm,	Strausser,
Dengler,	Heffner,	Polen,	Wargo,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1656, entitled:

A Supplement to the act of April 29, 1874 (P. L. 73), entitled "An act to provide for the incorporation and regulation of certain corporations" authorizing the incorporation of pipeline companies for the transportation and storage or distribution furnishing or supplying of a fluid substance known as coal slurry * * *.

On the question,

Shall the bill pass finally?

The SPEAKER. The Chair recognizes the gentleman from Blair, Mr. Miller.

Mr. MILLER. Mr. Speaker, last week I sat here and listened to debate on a piece of legislation that would cause employment in the State of Pennsylvania. This week, and today, we have a bill before us that will cause unemployment in the State of Pennsylvania. To me this is a piece of legislation that would have a terrific impact on the economy of Pennsylvania, especially in the field of railroad workers.

Mr. Speaker, I think everyone of us here knows that the greatest revenue received by any railroad is revenue from coal hauling. This bill would do away with the hauling of coal in hopper cars. In my particular area which I represent we have one of the largest railroad shops in the world in which most of the work is building and repairing hopper cars. Just take the building and repair of hopper cars out of that town and our county and we will certainly be a distressed area. Say we are a distressed area now, it will be much greater if this bill were to pass today.

Mr. Speaker, since 1955 in the shops there in Altoona we had a schedule from 1955 to May 1, 1961, of 41,387 hopper cars or freight cars, and most of them hopper cars. What is going to happen to our railroad industry if we take this work away from the railroads? And not only the railroads. There are other car plants in Pennsylvania, Greenville Pullman Car Company, Pressed Steel Car Company and Bethlehem Steel Company also build and repair hopper cars. I am asking the members today, are we going to cause more unemployment in Pennsylvania? Are we going to increase the relief rolls, or are we not, by such legislation as this? I have in my possession here a petition with approximately 500 names from the Brotherhood of Railroad Trainmen asking me to oppose this piece of legislation as being very detrimental to not only the shop workers but also the railroad workers, the trainmen.

You can just imagine what it would mean if a piece of legislation such as this were to pass in Pennsylvania, what it would mean to the entire railroad system in Pennsylvania, the number of positions which would be lost.

Mr. Speaker, I ask every member here today to vote "no" on this piece of legislation for the good of industry and employment in Pennsylvania.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Donaldson.

Mr. DONALDSON. Mr. Speaker, I am a co-sponsor of House bill 1656 and want to assure the members of this House that I would not have been a co-sponsor of this bill if I thought there was any conceivable chance of its causing unemployment in this Commonwealth. I think exactly the reverse is the true situation.

Mr. Speaker, I know that we are running against a tight time schedule, but I would just like to make a few remarks in support of the bill. All of us are familiar with the operation of underground pipe lines that carry water, that carry oil, artificial gas and natural gas. All of us are familiar with the transmission of electric telephone and telegraph current by means of overhead wires. In each of these instances, Mr. Speaker, this legislature in years gone by, as modern technology developed, has passed the necessary statutes which authorized companies to incorporate for the purposes of transmission and transportation, to give to them the right of eminent domain under certain restrictions, which restrictions are carried out in House bill 1656. Of course, Mr. Speaker, our constitution

guarantees to the owners of the property through which these transmission lines pass the right to have just compensation.

Mr. Speaker, it is now possible because of modern industrial technology to transport coal through a pipe line. Briefly, the coal is reduced to fine nugget size, mixed with water and flushed through the line very much in the same manner as oil and natural gas would pass underground. An examination of the bill will, of course, indicate that as a practical matter the right of eminent domain can only be exercised through vacant ground; it cannot be exercised against a house, or against a school, or a church, or an institution, without the consent of the owner.

All this bill does, House bill 1656, is put the corporate and eminent domain and public utility laws of Pennsylvania in a modern setting, just as this legislature has done with other transmission and transportation companies.

Mr. Speaker, to speak about unemployment, I have just two statistics relative to conditions in the coal area. In 1947, 200 million tons of coal were mined in Pennsylvania; in 1960, 84 million tons, less than one-half; and yet, Mr. Speaker, Pennsylvania has virtually unlimited supplies of coal.

In 1947, 182,000 miners were employed in the coal industry in Pennsylvania; a decade later, in 1960, 40,000 miners were employed in Pennsylvania, a drop in employment of almost 75 percent. Mr. Speaker, there are a lot of reasons why coal consumption has gone down, but one of the principal ones is the fact that competing fuels have been able to undersell coal at the place of consumption, in spite of the fact that the price of coal at the mine today is exactly, or substantially, the same as it was in 1947. But the price of foreign residual oil, which nobody produces in Pennsylvania, the price of transporting that has gone way down, and it has replaced coal in the great consumer areas.

In the next decade coal will be facing increasing competition with atomic energy in its last great consuming field, that being the electric generating plants. Mr. Speaker, if the decline continues as it has since 1947, there is not going to be any coal mined in Pennsylvania for anybody to transport. I say this is progressive; I say this is modern; and I say this legislature has always enacted from time immemorial statutes to put our law in conformity with modern industrial technology. As a matter of fact, Mr. Speaker, if we worry too much about the railroads, just about 10 years ago, or a little more than that, 25 percent of the coal produced in these United States, 125 million tons annually, was consumed by the railroads in their locomotives. Now the railroads have converted to diesel and that use of coal is gone forever. I think that was progress and I think that was proper, and nobody would suggest that we pass a statute to outlaw the use of diesel engines so we can save the coal mines. Nor should our law, Mr. Speaker, be in a position to deny one of our great industries the right to modern industrial technology to improve transportation and a chance to compete with foreign residual oil and atomic energy.

I say this is progress and request the members on both sides of the House to examine this bill on its merits and vote to put our law in conformity with modern practices.

The SPEAKER. The Chair recognizes the gentleman from Blair, Mr. Auker.

Mr. AUKER. Mr. Speaker, what the previous speaker, Mr. Donaldson from Allegheny County, has said is true in some measure, this possibly might be construed as progress. But I still want to say to you people here, as I have said before on the floor of this House, there are still three major areas of economic distress in Pennsylvania, possibly steel not as much so as coal, both hard and soft, and the railroad industry.

For years we have seen railroads legislated against at the expense of other methods of transportation. This is just another blow at a big system and one of the major systems of transportation in this country. I question whether we are yet ready in Pennsylvania to deal another blow at a distressed business such as the railroads. I do not think that anyone will deny that they are in a distressed condition.

We still have around 400,000 people on the relief rolls of Pennsylvania, and there is no question in my mind that if this bill goes through within the next four or five years you are going to have 75 to 80 percent of all the railroad workers in Pennsylvania today going on public assistance rolls. Who is going to pay that bill? The taxpayers in general in Pennsylvania. Certainly that is going to be another very serious argument about industry expanding in Pennsylvania, or about attracting new industry into Pennsylvania.

The time may come when we can get out of our economic doldrums in Pennsylvania, when we will be able to afford to back such legislation as this because our economic industrial climate in Pennsylvania will be such that we will be able to do it. But I do not believe that we can afford to do it today. I do not think we ought to stand here today and deal another blow at a distressed business, the transportation industry, such as the railroads are, and help put more people on the relief rolls. They have no place else to go in Pennsylvania where they can get jobs or be placed. It is just going to knock them off.

Now, so far as the railroad engines being transferred to diesels, yes, that is so. But the method of transporting this oil into our eastern seaboard where this residual oil is dumped from Venezuela and other countries, it is brought in practically free of charge on the vessels coming in here so that they can have the proper ballast, and they practically carry this oil free into our eastern seaboard. Two rights do not make a wrong. That oil ought to be charged for transportation, and it ought to be charged as it is dumped on our eastern seaboard. If that had been so, possibly the railroads would not have changed from coal to diesel, such as they were practically forced to do in order to effect economies. I am asking you, please—I have stood here and so have my colleagues stood here and voted with the people in the soft coal regions time after time to help you. Now we are pleading with you to help us. We will appreciate your vote against this bill.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Taylor.

Mr. TAYLOR. Mr. Speaker, I rise to oppose this bill. With the recent pipe lines that we have just installed along the Chester branch near Philadelphia from Claymont, Delaware, all the way up into Jersey City, it is the worst piece of competitive business that we have had.

Therefore, I make a plea that you vote this piece of legislation down.

The SPEAKER. The Chair recognizes the gentleman from Erie, Mr. Blair.

Mr. BLAIR. Mr. Speaker, in this present session somewhere along the line we have not been cognizant of the fact that railroads play a major part in our economy. In the field of transportation, and especially in national emergencies, they are called upon to do things that they are not required to do in peace times. Therefore, we are in a position of planning our future economy to the point that we have to keep things in reserve and keep things rolling for times of need and emergency.

For example, the Canadian Parliament recognized that a short time ago and passed an appropriation bill of \$90-some-odd-million in a subsidy manner to keep the Canadian railroads operating and in existence. Here just a few weeks ago the State of Connecticut granted a \$660,000 tax write-off for the New York, New Haven & Hartford Railroad.

Waterways and trucks can supply part of our needs, part of our wants from day to day, but in times of emergency, whom do we rely upon? Our railroads.

What you can do is pass this bill today. I am not debating it; I am not questioning whether or not this is good legislation. I am saying this: If you pass this bill, what you are going to be faced with next session is appropriation bills in the form of subsidies that will keep our railroads in existence. We can legislate them out of existence; we can pass this bill; we can force them to hire employees they do not need and they have no use for. We can do any and all things, but, basically and fundamentally, Mr. Speaker, what we have to consider is the fact that we must keep our railroads in operation and keep them in reserve for times of stress and emergency.

Therefore I would ask everybody to keep this in mind when they vote for or against this bill. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Indiana, Mr. Buchanan.

Mr. BUCHANAN. Mr. Speaker, I am one of the co-sponsors of this bill because I believe that it provides for a technological progress in the field of transportation and the coal industry. It is my philosophy that the function of government should be to encourage progress and advance rather than to retard technological progress. This bill will provide for advances in the coal industry and transportation.

I think that some of the opponents of this bill are forgetting history. The railroads took the place of the canal transportation back in the 1840's, 1850's and 1860's. Since then the airplane, the truck and automobile have taken the place, to a certain extent, of the railroads. This bill provides that we will be able to transport coal by pipelines.

Would any of you have voted to outlaw the manufacture of the airplane? I think all of you would answer that by saying "no." Then, why should you vote to retard progress in the coal industry and in transportation. Let us look at countries in Asia and Africa. Many of those countries are backward today because they discouraged technological progress. Let us not, in the United States and Pennsylvania, follow the example of those nations.

This pipeline will not cost the Commonwealth of Pennsylvania one cent. The cost will be paid by the coal companies, or by the companies which are incorporated to

construct the pipeline. Who will benefit from the pipeline? The people who will benefit are the ones who will be able to purchase coal and products made from coal at a cheaper rate.

I appeal to you to vote for this bill which will be beneficial to the people of Pennsylvania and all of the United States.

The SPEAKER. As one of the proponents of the bill, the gentleman from Washington, Mr. Polen, requested of the Chair the privilege of closing the debate. Does the gentleman from Tioga, Mr. McInroy, desire to be recognized?

Mr. McINROY. I do, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Tioga, Mr. McInroy.

Mr. McINROY. Mr. Speaker, just a short statement. I want to appeal to you, not only from the railroad's standpoint, but there is another phase I do not think has been covered in any of the debate this afternoon, and that is the trucking side. It is the truckers who will be thrown out of work also, and that would concern a lot of businesses that furnish trucks for the truckers and the railroad industry, the steel for the cars, besides all of the workers on the railroad.

I agree with my colleague from Blair, Mr. Auker, that this is not the time to experiment with such a thing as this that will throw so many people out of work and cause so much unemployment. Therefore, I ask that we vote this bill down.

The SPEAKER. The Chair recognizes the gentleman from Washington, Mr. Polen, for the purpose of speaking on the bill and closing the debate.

Mr. POLEN. Mr. Speaker, in the many years that I have served in this House I have explained many bills, I have been interrogated on many bills, but never have I taken the microphone to speak for a bill which I have personally introduced.

Today, Mr. Speaker, I am going to talk about this bill which I believe is one of the most important bills that has been introduced in this legislature for many years.

Mr. Speaker, much has been said about the plight of the railroads, and I would agree, but I want to say this, Mr. Speaker: as a railroad man of 32 years, and with a family—more people of my family are employed on the railroad than in any other line of work—I certainly would do nothing which would hurt the railroad industry. I want to say, Mr. Speaker, that what this bill will do is to create industrial development in Pennsylvania.

Now, Mr. Speaker, I have been identified with industrial development in Pennsylvania for a good many years. I was one of the original sponsors of the PIDA Act and I have been a member of that board since it was created.

Now I want to tell you some of the things that this bill will do if it is passed and put into law. All the bill actually does, as the gentleman, Mr. Donaldson from Allegheny, stated, it gives the same rights for a pipeline for coal slurry as all other items have. The initial lines would probably be about 300 miles long and would cost approximately \$90 million. It would take thousands and thousands of tons of pipe over 300 miles; it would put millions of dollars in labor and end products and in rights-of-way. Over these it would be expected to transport 7 million tons of coal a year from the 28 counties of central and western Pennsylvania to markets in the East which are now served by residual fuel oil which the railroads do

not haul, which is dumped in here from foreign countries and which, in the making, we would be able to have cheaper power, which is the basis of manufacturing.

I want to say what happened in Ohio and how they met the challenge. When they knew that the St. Lawrence Seaway was going to break into the ports on the lake front, they knew that the residual fuel oil would be dumped in there and they met the challenge by building the coal slurry pipeline from Georgetown to Cleveland, and kept those markets because with the cheap transportation that coal slurry provides through pipelines you are able to compete and to give a better price than using residual fuel oil.

Now what has happened in the great Ohio Valley where they have all these great aluminum industries? It is cheap power. There they have the rivers. In Cleveland they now have the pipeline and I say to you that in Pennsylvania if we have this we can serve the eastern seaboard. There are 28 counties in central and western Pennsylvania where we have unlimited coal, over 31 billion tons, that a giant market will be created which will not hurt the railroads, which will put many, many miners to work. And I am going to say, ladies and gentlemen, to the people in western Pennsylvania, people in Washington County, I would not want to go back to Washington County and tell those other poor miners there that I had failed to do everything I could to put this bill through.

I live in the town of Avella where back in the 20's we had 17 mines there which turned out over 600 cars a day and it was a thoroughly prosperous community. Now we have one little mine left which I, unfortunately, am one of the part owners of, where we just now make house coal. And I want to say to you, ladies and gentlemen, that the main reason of the decline of the coal industry in western Pennsylvania in our section was the lack of adequate transportation that would let us compete with Ohio workers and with the northern counties where they truck.

Now Mr. Speaker, this is not a bill just for the coal mining areas; this is not a bill just for the coal companies and for the coal miners; this is a bill that will give us modern transportation for coal to the eastern seaboard to compete with the residual fuel oil that is being dumped in there.

Now, Mr. Speaker, as I said before, I have never appealed to you to vote for a bill on account of my sponsorship, and I have a deep feeling for the railroads and the railroaders, having been one all my life, but I read in the Pittsburgh Post Gazette an item which says:

**"PENNSY UNIT TO OPERATE
OIL PIPELINE"**

"The Potomac Public Service Company, controlled by the Pennsylvania Railroad, has opened offices in Arlington, Va., to develop engineering studies and final plans for a common carrier pipeline system to serve the major airports in the Washington and Baltimore areas with petroleum fuel."

Now, the railroads themselves are doing this, and I say it is proper because throughout the West for many years the Santa Fe and St. Louis Railroad had the pipeline along their lines. Right now under discussion is the N.P.&P. and the New York Central to do the same thing along their right-of-way. And I think it is proper that the

railroads meet the challenge that they have today on modern transportation, and that is what this bill proposes to do.

This is a bill, Mr. Speaker, that will bring back to work thousands and thousands of coal miners who are now unemployed; it will, through the manufacture of pipe and the pumping equipment and the maintenance of it, put thousands of steelworkers to work. It will bring millions of dollars into the landowners of Pennsylvania through rights-of-way, and I believe that coal is entitled to the same pipeline privileges as oil and gas and other products.

Mr. Speaker, I ask the members of the House, I appeal to the members of the House, to vote for this bill which is a bill that will bring industrial development to Pennsylvania and bring a semblance of prosperity to the western counties which have been so severely affected by the decline of the coal industry. It is not a bill just for them; it is a bill for all of Pennsylvania, a bill for progress. I earnestly appeal to you to support this bill.

The SPEAKER. The Chair asked all the members who wanted to speak and clearly announced that Mr. Polen had asked the privilege of closing the debate and whether any member of the House had anything further to say.

The gentleman from Erie will proceed. It is irregular. The Chair gave everyone the privilege.

Mr. BLAIR. I would just like to remind the gentleman from Washington, Mr. Polen, that the steel that is going to be purchased which makes this pipeline possible would, no doubt, be quite a sizable amount and a very high tonnage. I would like to remind the gentleman that the equipment and the needs and requirements of the railroads are not made out of cardboard.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—88

Anderson, S. A.,	Gibbons,	Lamb,	Sakulsky,
Backenstoe,	Goldstein, J. H.,	Lee, K. B.,	Shelton,
Boles,	Goldstein, M. H.,	Leonard,	Shupnik,
Bower,	Goodrich,	Long, Wm. Jos.,	Simmons,
Buchanan,	Gray,	Lutty,	Steckel,
Capano,	Greenlee,	Markley,	Stimmel,
Capitolo,	Gremminger,	Maxwell,	Stiteler,
Cianfrani,	Guesman,	McCandless,	Stone,
Clarke,	Hamilton,	McDonald,	Sullivan, T. F.,
Comer,	Hartley,	McKeever,	Thompson,
Cooley,	Haudenshield,	McLaughlin,	Tomascik,
Curwood,	Holman,	Meholchick,	Tompkins,
Davis,	Irvis,	Merry,	Trusio,
Elvey,	Jim,	Mills,	Varner,
Eshleman,	Johnson, A. W.,	Monroe,	Wescott,
Esler,	Johnson, R. P.,	Morley,	Williams, A. D.,
Ewing,	Kamyk,	Murphy,	Williams, E. S.,
Filo,	Klein,	O'Donnell, J. A.,	Wilt,
Fry,	Knecht,	O'Donnell, J. P.,	Wood,
Fulmer,	Kornick,	Perry,	Wynd,
Galley,	Korns,	Royer,	Zimmerman,
Gibb,	Kramer,	Rudisill,	Andrews,
			Speaker

NAYS—108

Adams,	Gallagher,	Magee,	Reidenbach,
Anderson, J. H.,	Gelfand,	Manbeck,	Renwick,
Arlene,	Gramlich,	Marsh,	Riley,
Ashton,	Gross,	May,	Rovansek,
Auker,	Guthrie,	McCann,	Rubin,
Bachman,	Hankins,	McCormack,	Rutherford,
Blair,	Heavey,	McDevitt,	Scarcelli,
Bonner,	Helm,	McInroy,	Schaaf,
Bossert,	Henzel,	McNally,	Schuster,

Branca,	Hocker,	Miller,	Sherman,
Breth,	Holl,	Mullen,	Slack,
Bush,	Holliday,	Munley,	Snare,
Cloff,	Horst,	Murray,	Stank,
Crossin,	Isaacs,	Musto,	Sullivan, J. A.,
Dennison,	Jenkins,	Needham,	Taylor,
Donaldson,	Jones,	O'Dell,	Ujobai,
Dougherty,	Keiser,	Ogilvie,	Verona,
Doughten,	Kelly,	Parlante,	Wall,
Eilberg,	Kernaghan,	Pashley,	Walsh,
Eshback,	Kessler,	Petrosky,	Weidner,
Farabaugh,	King,	Piper,	Welsh,
Fetterolf,	Kistler,	Polaski,	Whittaker,
Fineman,	Kooker,	Polen,	Willard,
Flynn,	Lawson,	Prendergast,	Willaredt,
Foor,	Lee, A. M.,	Price,	Worley,
Fox,	Limper,	Pursley,	Yetter,
Frascella,	Lippincott,	Reibman,	Zember,

NOT VOTING—14

Bowman,	Edwards,	Long, Wm. Jas.,	Seltzer,
Cauley,	Foerster,	Mihm,	Strausser,
Dengler,	George,	Odorlsio,	Wargo,
Down,	Heffner,		

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Mr. HELM IN THE CHAIR

MOTION TO EXPUNGE PROCEEDINGS
FROM JOURNAL

Mr. McCANN. Mr. Speaker, I move that the House expunge from the Journal the proceedings relating to the appeal from the decision of the Speaker on the vote on the motion to recommit House bill No. 890, printer's No. 979, to the Committee on Rules on Monday, June 13, 1961.

On the question,

Will the House agree to the motion?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Berks, Mr. Piper.

Mr. PIPER. Mr. Speaker, I rise to oppose this motion. This was a proceeding that took place in this House; it took place on June 13 and the Journal has not been printed as yet—I do not know why—and I rise to oppose this motion very strenuously.

If anyone else in this House makes a bad decision, the record is not expunged. I have no personal grievances against the Speaker or any other member of this House, but I say this, we should not set a precedent. What has been ruled on by the House, that should be it, and I therefore ask all members of this House not to set a precedent and to vote against this motion, and I ask for a roll call.

Mr. McCANN. Mr. Speaker, I ask the membership to vote "aye," and a roll call is agreed to.

Mr. ZEMBER. Mr. Speaker, I am a great one to respect experience, precedent and record. I, as a lawyer, in practicing law, am bound by the record. You, when you speak to your constituents, are bound by the record. You, when you vote on the floor of this House, are bound by this record. If you make one misstep, one misstatement, your words are recorded for posterity.

The previous speaker, Mr. Piper, also from Berks County, mentioned he has no animosity or hard feelings against any member of this House nor against the Speaker. I join with him in pointing out to you that we rise to oppose this motion, not on personalities, but on the matter of the record—a matter that something has been done, and that something should remain, of record, not that it is a personal

attack on any one individual. It was a mistake. If you make a mistake it is here on the record. I urge you, vote against this motion. Let the record stand.

The bill was argued, it was debated, and motions were made. Why should we have this procedure for appealing the order of the Chair? If this takes place today, if you pass this motion, then there is no need to have such a procedure in our rules. You will find this proceeding in every rule of procedure. It is there for a reason. It is there for a number of other reasons, not only for this type of instance. Let us not establish a precedent. If this motion is upheld today, we undoubtedly will be besieged with requests from members from day to day, after they have read the transcript of the proceedings in our sessions, besieged with requests to expunge their remarks from the record because what they have said may not sound too well back home.

Let this be a matter of your own conscience. Let it not be a matter of personalities or friendship. Let us uphold the sanctity of the record of the Legislative Journal. Vote against this resolution.

Mr. McCORMACK. Mr. Speaker, I rise to ask the House to support this motion to expunge certain remarks from the record, and it is with deep sincerity that I debate this motion. I have given it a lot of thought and I want to say to the new members that there is ample precedent in this House of Representatives for expunging matters from the record which the members of the House, engaged in more serious and deliberate consideration, have desired to have expunged.

I have been a member of this legislature for five terms and during all those terms I have been particularly concerned with adherence to the constitution and to the rules of procedure, and I know that in all the time I have been a member the Speaker who has presided over those particular sessions has always conducted himself with the utmost impartiality. We cannot divorce personalities from this motion however much we argue that we should. The present Speaker of the House of Representatives, Mr. Andrews from Cambria County, is a man—I believe that I am entitled to speak about personalities on this motion—who has devoted a lifetime to upgrading and dignifying this very House of Representatives in which we are all privileged to serve. I can say personally as a lawyer that the present Speaker of this House has forgotten more about legislative procedure than I in my lifetime will ever know. I have had many arguments with the Speaker of the House and I know that at all times he has conducted himself with due regard strictly and favorably to the rules of this House and to the Constitution of the Commonwealth of Pennsylvania.

The proceedings out of which this motion arises I can recall vividly, and I have heard on many occasions the Speaker calling for a voice vote and recognizing the majority voice in one way or another. I say to you that we, as members of this House of Representatives, pulled the rug from under the Speaker when we, because of the heat generated by the provisions of that particular bill, did not seriously realize what we were doing. I think it is a disgrace for us as members of the legislature to impugn the action of the Speaker of this House, who has, as I say, devoted his whole adult life to the betterment of the people of this Commonwealth and the dignity of the members who represent the people in this General Assembly; it is an affront to him. I say sincerely, Mr. Speaker, that it does

not make any difference to "Hi" Andrews how we vote on this motion, but I think we must regard the fact that he has done so much for us; he has criticized us when we needed criticism and he has given us plaudits when we deserved it; he has fought a battle for all of us at one time or another. So I say to you, without regard to partisan spirit, to vote in favor of this motion. We have overruled the Speaker. It is a precedent we established here and I am sure that after mature deliberation we realized we should not have established such a precedent and I therefore earnestly and sincerely request you, having regard for the personality and the dignity of the Speaker of this House of Representatives, to adopt this motion and set the record straight, and I ask both sides of the House to adopt the motion without further rancor and without further debate.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny, Mr. Goldstein.

Mr. M. H. GOLDSTEIN. Mr. Speaker, I shall be very brief. I have always believed in the rule of the law and not of men; but as a member of the opposite party and a person who has had many contacts with the Speaker, I would be derelict in my duty as a person who believes in applauding a man who has done a good job not to vote "aye" on this motion.

I have disagreed with the Speaker in many instances, but in my contact with him, he has never been personal. I think we owe him this debt of gratitude to have this matter expunged from the record. I would appreciate everybody voting "aye" on this motion.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Somerset, Mr. Stiteler.

Mr. STITELER. Mr. Speaker, I voted with my friend, Mr. Piper, for whom I have great respect, and I will do so again. I am going to adopt the suggestion of the gentleman from Berks, Mr. Zember, and vote on this according to my conscience because I believe to err is human, to forgive, divine.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Messrs. PIPER and McCANN and were as follows:

YEAS—171

Anderson, J. H.,	Gibbons,	Leonard,	Reidenbach,
Anderson, S. A.,	Goldstein, J. H.,	Limper,	Ranwick,
Arlene,	Goldstein, M. H.,	Lippincott,	Riley,
Ashton,	Goodrich,	Long, Wm. Jos.,	Rovansek,
Bachman,	Gramlich,	Lutty,	Royer,
Backenstoe,	Gray,	Markley,	Rudisill,
Blair,	Greenlee,	Marsh,	Rutherford,
Bonner,	Gremminger,	Maxwell,	Sakulsky,
Bossert,	Guesman,	McCandless,	Scarcelli,
Bower,	Guthrie,	McCann,	Schaaf,
Branca,	Hamilton,	McCormack,	Schuster,
Breth,	Hankins,	McDevitt,	Shelton,
Buchanan,	Hartley,	McDonald,	Sherman,
Capano,	Haudenshield,	McInroy,	Shupnik,
Cianfrani,	Heavey,	McKeever,	Simmons,
Cioffi,	Heffner,	McLaughlin,	Slack,
Clarke,	Helm,	McNally,	Snare,
Comer,	Henzel,	Meholchick,	Stimmel,
Cooley,	Hocker,	Merry,	Stiteler,
Crossin,	Holl,	Miller,	Stone,
Curwood,	Holliday,	Mills,	Sullivan, J. A.,
Davis,	Irvis,	Monroe,	Sullivan, T. F.,
Dennison,	Jenkins,	Morley,	Taylor,
Donaldson,	Jim,	Mullen,	Thompson,
Dougherty,	Johnson, A. W.,	Munley,	Tomasick,
Doughten,	Johnson, R. P.,	Murphy,	Tompkins,
Edwards,	Jones,	Murray,	Trusio,
Ellberg,	Kamyk,	Musto,	Ujobal,

Elvey,
Eshback,
Eshleman,
Esler,
Ewing,
Farabaugh,
Fetterolf,
Filo,
Flynn,
Frascella,
Fry,
Galley,
Gallagher,
Gelfand,
Gibb,

Kelser,
Kelly,
Kernaghan,
Kessler,
King,
Klein,
Knecht,
Kooker,
Kornick,
Korns,
Kramer,
Lamb,
Lawson,
Lee, A. M.,
Lee, K. B.,

Needham,
O'Dell,
O'Donnell, J. A.,
O'Donnell, J. P.,
Ogline,
Parlante,
Pashley,
Perry,
Petrosky,
Polaski,
Polen,
Prendergast,
Price,
Pursley,
Reibman,

Varner,
Verona,
Wall,
Walsh,
Welsh,
Wescott,
Willard,
Willaredt,
Williams, E. S.,
Wilt,
Wood,
Wynd,
Yetter,
Zimmerman,

NAYS—18

Adams,
Auker,
Bush,
Foor,
Fox,

Fulmer,
Gross,
Holman,
Isaacs,
Magee,

Manbeck,
Piper,
Stank,
Weidner,

Whittaker,
Williams, A. D.,
Worley,
Zember,

NOT VOTING—21

Boles,
Bowman,
Capitolo,
Cauley,
Dengler,
Down,

Fineman,
Foerster,
George,
Horst,
Kistler,

Long, Wm. Jas.,
May,
Mihm,
Odorisio,
Rubin,

Seltzer,
Steckel,
Strausser,
Wargo,
Andrews,

Speaker

So the question was determined in the affirmative and the motion was agreed to.

ANNOUNCEMENT

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. McCANN. Mr. Speaker, I wish to inform the House that there will be no more roll calls today, but I do ask that they stay for committee announcements. We also have a motion to reconsider 1656, a reconsideration motion asking that it be placed on the final passage postponed calendar.

Mr. Speaker, the House will convene tomorrow morning at 10 a. m., and we will be voting on bills before we leave the floor, on the bills that were caucused and ready for vote today which will be voted on tomorrow, and then we will caucus and cover the balance of the bills. Is that agreed?

The SPEAKER pro tempore. The Chair recognizes the minority leader.

Mr. A. W. JOHNSON. Mr. Speaker, I wish the majority leader would reiterate his statement with respect to Thursday.

Mr. McCANN. Mr. Speaker, I will make my announcement on Wednesday.

Mr. A. W. JOHNSON. Mr. Speaker, I do not like to press the gentleman although many members have been down here wanting to know whether they should check out of the hotels tomorrow, and so forth. It seems as though you ought to be able to make a statement right now that there will not be a session Thursday. It is a long time until Christmas so we have plenty of time here. A lot of the members would like to go away; their families are at the shore and they feel that three days in this heat is enough.

Mr. McCANN. I will make the announcement tomorrow, in plenty of time, Mr. Speaker. I certainly want them to act on quite a few bills tomorrow.

COMMITTEE MEETINGS

CITIES-COUNTIES SECOND CLASS and SECOND CLASS A, Mr. Lutty, chairman, Room 131-B, Wednesday,

July 26, at 10:30 a.m.

COUNTIES, Mr. Cioffi, chairman, Room 131-C, Wednesday, July 26, at 9:45 a.m.

STATE GOVERNMENT, Mr. Fineman, chairman, Room 522, Wednesday, July 26, at 9:30 a.m.

ALL TIMES ARE DAYLIGHT SAVING TIME

RECONSIDERATION OF VOTE ON HOUSE BILL NO. 1656

Mr. McCANN. Mr. Speaker, I move that the vote by which House bill No. 1656, printer's No. 2427, entitled:

"A Supplement to the act of April 29, 1874 (P. L. 73), entitled 'An act to provide for the incorporation and regulation of certain corporations' authorizing the incorporation of pipeline companies for the transportation and storage or distribution furnishing or supplying of a fluid substance known as coal slurry * * *"

was defeated on final passage Tuesday, July 25, 1961, be reconsidered.

Mr. POLEN. Mr. Speaker, I second the motion.

The SPEAKER pro tempore. How did the gentleman from Greene, Mr. McCann, vote on the final passage of this bill?

Mr. McCANN. Mr. Speaker, I voted with the prevailing side.

The SPEAKER pro tempore. How did the gentleman from Washington, Mr. Polen, vote on the final passage of this bill?

Mr. POLEN. Mr. Speaker, I voted with the prevailing side.

On the question,
Will the House agree to the motion?
It was agreed to.
On the question recurring,
Shall the bill pass finally?

BILL POSTPONED

Mr. McCANN. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

COMMUNICATION FROM GOVERNOR

The secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos. 345, 728, 735, 754, 755, 1025, 1186, 1293 and 1504.

Commonwealth of Pennsylvania
Governor's Office, Harrisburg
July 25, 1961.

To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 345, printer's No. 2303, entitled "An Act amending the act of July 28, 1953 (P. L. 723), entitled 'An act relating to counties of the second class amending revising consolidating and changing the laws relating thereto' requiring counties to acquire land in fee simple when taking land by eminent domain for the purpose of laying out or opening any road and authorizing sufficient property to be acquired to enable construction of roads of a certain width."

DAVID L. LAWRENCE.

July 25, 1961.

To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 728, printer's No. 2324, entitled "An Act amending the act of May 2, 1929 (P. L. 1518), entitled as amended 'An act regulating the construction equipment maintenance operation and inspection of elevators granting certain authority to and imposing certain duties upon the Department of Labor and Industry providing fees for inspection of elevators certificates of operation and approval of plans providing penalties for violations of this act and repealing all acts or parts of acts inconsistent with this act' changing the definition of 'elevator' and regulating the repairing and renovating of elevators requiring permits and fixing fees for permits inspections and certificates."

DAVID L. LAWRENCE.

July 25, 1961.

To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 735, printer's No. 2216, entitled "An Act regulating the manufacture of stuffed toys intended for sale gift or use in Pennsylvania providing for registration of such manufacturers the paying of a fee for such registration the issuance of a seal of approval to such manufacturers providing that material used in such toys shall be new and free from dangerous or harmful substances providing for disinfection of such material containing products of animal origin and prescribing penalties."

DAVID L. LAWRENCE.

July 25, 1961.

To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 754, printer's No. 827, entitled "An Act amending the act of April 9, 1929 (P. L. 177), entitled 'The Administrative Code of 1929' including the Oil and Gas Conservation Commission as a departmental administrative commission in the Department of Mines and Mineral Industries."

DAVID L. LAWRENCE.

July 25, 1961.

To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 755, printer's No. 2167, entitled "An Act defining and prohibiting waste in the production of oil and gas defining the powers and duties of the Oil and Gas Conservation Commission and the Oil and Gas Division of the Department of Mines and Mineral Industries with respect to the prevention of waste in the production of oil and gas from certain geological horizons the protection of correlative rights the spacing of well drilling operations the unitization of lands and horizons for the purpose of regulating well spacing providing for the enforcement of this act and the issuance of rules regulations and orders prescribing the rights obligations and duties of owners and operators of interests in lands and leasehold interests therein with respect to the drilling of oil and gas wells thereon providing for hearings and the procedures to be followed therein imposing duties upon the courts providing methods for the enforcement of the provisions of this act limiting all the provisions hereof to certain geological horizons imposing penalties and making an appropriation."

DAVID L. LAWRENCE.

July 25, 1961.

To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 1025, printer's No. 2452, entitled "An Act authorizing and directing the Gov-

ernor on behalf of the Commonwealth of Pennsylvania to execute an interstate compact concerning mental health and for related purposes."

DAVID L. LAWRENCE.

July 25, 1961.

To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 1186, printer's No. 2412, entitled "An Act amending the act of June 28, 1935 (P. L. 477), entitled as amended 'An act providing for the payment of the salary medical and hospital expenses for members of the State Police Force of the enforcement officers and investigators employed by the Pennsylvania Liquor Control Board and the parole agents enforcement officers and investigators of the Pennsylvania Board of Parole and of policemen firemen and park guards by the Commonwealth of Pennsylvania counties cities boroughs towns and townships who are injured in the performance of their duty and providing that absence during such injury shall not reduce any usual sick leave period' extending the provisions thereof to members of the Delaware River Port Authority Police."

DAVID L. LAWRENCE.

July 25, 1961.

To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 1293, printer's No. 2401, entitled "An Act amending the act of April 29, 1937 (P. L. 487), entitled as amended 'The Permanent Registration Act for Cities of the Second Class Cities of the Second Class A Cities of the Third Class Boroughs Towns and Townships' changing provisions for proof of citizenship for certain persons previously registered."

DAVID L. LAWRENCE.

July 25, 1961.

To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 1504, printer's No. 1852, entitled "An Act amending the act of June 3, 1937 (P. L. 1333), entitled 'Pennsylvania Election Code' further regulating the time in which the court of quarter sessions shall appoint election officers of newly created election districts."

DAVID L. LAWRENCE.

TIME EXTENDED ON BILL

Mr. McCANN asked and obtained unanimous consent to extend the time five days on House bill No. 640, printer's No. 1345, on page 17 of today's calendar, bills on third reading postponed.

BILLS AND RESOLUTIONS PASSED OVER

Mr. McCANN. Mr. Speaker, I request that all other bills and resolutions on today's calendar not acted upon be passed over.

The SPEAKER pro tempore. The Chair hears no objection.

ADJOURNMENT

Mr. FLYNN. Mr. Speaker, I move that this House do now adjourn until Wednesday, July 26, 1961, at 9 a. m., e. s. t.

The motion was agreed to, and (at 3:50 p. m., e. s. t.) the House adjourned.

Legislative Journal.

Session 1961.

145th of the General Assembly.

Vol. 38.

HARRISBURG, PA., WEDNESDAY, JULY 26, 1961.

No. 82.

HOUSE OF REPRESENTATIVES

WEDNESDAY, July 26, 1961

The House met at 9 a.m., e.s.t.

The SPEAKER (Hiram G. Andrews) in the Chair

PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

O God, our Father, as Thou dost love man with an undying passion, as Thou dost forgive with a never recalling memory, and as Thou dost challenge with an unending zeal; make us to be as loving toward our brethren, as forgiving toward our enemies, and as motivated in our own efforts that Thy kingdom may come and Thy will may be done on earth as it is in heaven. In like manner, never let us be taken in by the wiles of the devil, never let us succumb to the false repentance of those who mean us harm, and never let us be so soft-hearted that we compromise our principles of life and tenets of faith. In His dear name. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Tuesday, July 25, 1961, will be postponed until printed.

The Chair hears none.

The SPEAKER. The Chair requests the gentleman from Beaver to preside.

Mr. HAMILTON IN THE CHAIR

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1232.

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), requiring the notice of conviction for violations in other states to contain a certified record of the conviction and requiring the same to be made available.

HOUSE BILL No. 1307.

An Act amending the "Chiropody Act of 1956" approved March 2, 1956 (P. L. 1206), providing for biennial renewal of registration changing fees and requiring attendance at biennial educational conferences as a condition of renewal of registration.

HOUSE BILL No. 1402.

An Act to provide for the creation and administration of an Anthracite Coal Mine Subsidence Fund within the Department of Mines and Mineral Industries for the insurance of compensation for damages to subscribers there-to * * *.

HOUSE BILL No. 1440.

An Act amending "The Pennsylvania Workmen's Compensation Act" approved June 2, 1915 (P. L. 736), requiring employers to furnish replacements for artificial limbs and eyes and to furnish additional medical care in connection therewith.

HOUSE BILL No. 1630.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), providing a further limitation on the taxing authority of school districts lying in more than one county.

HOUSE BILL No. 1794.

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), making a correction for a typographical error.

With the information that the Senate has passed the same without amendment.

SENATE MESSAGE

AMENDED SENATE BILLS CONCURRED IN BY SENATE

The clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bills numbered and entitled as follows:

SENATE BILL No. 508.

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code" further defining disorderly conduct in order to protect passengers lawfully occupying any railroad railway elevated railway for purchase of firearms and subway passenger station or platform.

SENATE BILL No. 509.

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code" prohibiting the use of railroad railway elevated railway for purchase of firearms and subway passenger station facilities by loiterers.

SENATE BILL No. 529.

An Act amending the act of December 27, 1951 (P. L. 1742), entitled as amended "The Realty Transfer Tax Act" excluding from taxation transfers of property between divorced spouses.

STATEMENT BY MINORITY LEADER

Mr. A. W. JOHNSON. Mr. Speaker, what I am going to say has nothing to do with our discussion of education bills or taxes or reapportionment. I may have something to say about reapportionment before the day is over.

I think we should comment a little on the speech of our President last night with respect to the Berlin crisis. How does that affect the State of Pennsylvania? I am a member of the State Council of Civilian Defense by reason of my being the minority leader. We have not had a meeting of the State Council of Civilian Defense since I have been a member this session, and we have had only one meeting since I have been a member for four years.

I am not saying that our State Council of Civilian Defense is not doing a good job, but I think the time has come, in the light of the President's speech, when we, as a State, must reappraise our situation with respect to the protection of the civilians of Pennsylvania.

Three years ago the State Council offered to sell the filling stations in the State mechanical handles to operate gasoline pumps by manual control, without electricity. Very few people, that is, filling station people, availed themselves of that opportunity. I think that every filling station in Pennsylvania should be equipped with manual operations for their gasoline pumps.

I think we should re-examine the stockpiling of hospital beds all over Pennsylvania; the stockpiling of medicines; and I think that consideration should be given by this General Assembly to provide money to build bomb shelters. I am not trying to say that we are in peril in this Nation, but if anything should happen I think that we, as the legislature, should be able to say we provided the civilians of Pennsylvania with the necessary tools for their protection in case of an attack.

REPORTS FROM COMMITTEES

Mr. RENWICK from the Committee on State Government, reported as amended, House bill No. 1539, entitled:

An Act amending the act of June 22, 1931 (P. L. 881), entitled "An act prescribing rights and remedies, and the procedure in connection with suits and recovery on bonds conditioned for the payment of material and labor furnished, supplied, or performed in the prosecution of any public work or improvement," extending the act to include Federal and State-aided institutions.

Mr. RENWICK from the Committee on State Government, reported as amended, House bill No. 1827, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Department of Forests and Waters to lease land in Valley Forge State Park to the United States Post Office Department for the purpose of the construction and operation of a post office.

Mr. HOLLIDAY from the Committee on Counties, reported as committed, House bill No. 1838, entitled:

An Act amending "The General County Assessment Law," approved May 22, 1933 (P. L. 853), providing that reproduction costs shall be considered in arriving at value and providing that factors taken into consideration in arriving at the value of real property and valuations so determined by certain counties under a permanent system of records may continue to be a valid basis for assessments.

Mr. J. A. O'DONNELL from the Committee on Counties, reported as committed, Senate bill No. 381, entitled:

An Act amending the act of May 16, 1921 (P. L. 579),

entitled as amended "An act providing for the better management of the jails or county prisons in the several counties of this Commonwealth of the third fourth and fifth classes by creating in such counties a board to be known by the name and style of inspectors of the jail or county prison with authority to appoint a warden of such prison and by vesting in said board and the officers appointed by it the safekeeping discipline and employment of prisoners and the government and management of said jails or county prisons" further providing for the composition of the board of inspectors of the jail or county prison.

Mr. RENWICK from the Committee on State Government, reported as committed, Senate bill No. 588, entitled:

An Act amending the act of May 10, 1939 (P. L. 111), entitled "Commerce Law" authorizing the Department of Commerce to aid political subdivisions in the purchase of land for industrial parks.

Mr. WOOD from the Committee on State Government, reported as committed, Senate bill No. 687, entitled:

An Act amending the act of August 5, 1941 (P. L. 752), entitled "Civil Service Act" providing exceptions to certain provisions of the act when professional and technical positions concerned with the administration of the Public Assistance Law and related statutes are being considered.

Mr. WOOD from the Committee on State Government, reported as committed, Senate bill No. 842, entitled:

An Act amending the act of June 1, 1959 (P. L. 392), entitled "State Employees' Retirement Code of 1959" changing certain fiscal provisions to conform to the fiscal period and changing provisions providing for contributions and administrative expenses.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1838, entitled:

An Act amending "The General County Assessment Law," approved May 22, 1933 (P. L. 853), providing that reproduction costs shall be considered in arriving at value and providing that factors taken into consideration in arriving at the value of real property and valuations so determined by certain counties under a permanent system of records may continue to be a valid basis for assessments.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 381, entitled:

An Act amending the act of May 16, 1921 (P. L. 579), entitled as amended "An act providing for the better management of the jails or county prisons in the several counties of this Commonwealth of the third fourth and fifth classes by creating in such counties a board to be known by the name and style of inspectors of the jail or county prison with authority to appoint a warden of such prison and by vesting in said board and the officers appointed by it the safekeeping discipline and employment of prisoners and the government and management of said jails or county prisons" further providing for the composition of the board of inspectors of the jail or county prison.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 588, entitled:

An Act amending the act of May 10, 1939 (P. L. 111),

entitled "Commerce Law" authorizing the Department of Commerce to aid political subdivisions in the purchase of land for industrial parks.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 687, entitled:

An Act amending the act of August 5, 1941 (P. L. 752), entitled "Civil Service Act" providing exceptions to certain provisions of the act when professional and technical positions concerned with the administration of the Public Assistance Law and related statutes are being considered.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 842, entitled:

An Act amending the act of June 1, 1959 (P. L. 392), entitled "State Employes' Retirement Code of 1959" changing certain fiscal provisions to conform to the fiscal period and changing provisions providing for contributions and administrative expenses.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 691, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), providing for commercial motor vehicle operators' licenses setting fees for such licenses further regulating suspension and revocation of licenses and imposing penalties.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1219, entitled:

An Act amending the "State Employes' Retirement Code of 1959" approved June 1, 1959 (P. L. 392), preventing the diminution of the present value of a superannuation retirement allowance for all classes of membership.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1620, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), further defining "dealer" further providing for the use of dealer's registration plates providing for the issuance of special moving permits for mobilehomes house trailers and office trailers in lieu of registration thereof * * *.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

EDUCATION BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1701, entitled:

An Act amending the "Public School Code of 1949" ap-

proved March 10, 1949 (P. L. 30), changing the per pupil unit cost reimbursement for elementary and secondary school construction authorizing reimbursement in the year of acquisition for school building sites purchased in advance of their need and harmonizing provisions related thereto and extending the provisions for reimbursement or preliminary payments on account of approved building construction to include the State Public School Building Authority and Municipal Authorities and abolishing the cost limitations on school building projects for reimbursement purposes.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1702, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), providing for the creation establishment and operation of community colleges granting certain powers to the State Council of Education and the Department of Public Instruction * * *.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1789, entitled:

An Act to provide revenue for Commonwealth purposes by imposing an excise tax on rents royalties interest dividends and capital gains from investment capital as defined of individual residents and nonresidents of the Commonwealth and of estates and trusts fixing the rates of tax thereon providing for the reporting and payment of tax interest and penalties assessments collections liens reviews appeals refunds and penalties and conferring powers and imposing duties upon the Department of Revenue fiduciaries partnerships associations and individuals.

Article I was read.

On the question,

Will the House agree to the Article?

Mr. McCANN offered the following amendment:

Amend Sec. 2, page 3, line 3, by striking out "interest"

It was agreed to.

The article was agreed to as amended.

Article II was read.

On the question,

Will the House agree to the article?

Mr. McCANN offered the following amendments:

Amend Sec. 205, page 7, lines 4 to 8, by striking out all of said lines

Amend Sec. 205, page 7, line 9, by striking out "(d)" and inserting (c)

They were agreed to.

The article was agreed to as amended.

Article III was read and agreed to.

Article IV was read.

On the question,

Will the House agree to the article?

Mr. McCANN offered the following amendment:

Amend Sec. 501, page 34, line 18, by inserting after "501" Disposition of Proceeds.—All taxes collected under the provisions of this act shall be used for purposes of educa-

tion in so far as permitted by the requirements of the Constitution of Pennsylvania.

It was agreed to.

The article was agreed to as amended.

Article V was read.

On the question,

Will the House agree to the article?

Mr. McCANN offered the following amendments:

Amend Sec. 502, page 35, line 6, by striking out "502" and inserting 503

Amend Sec. 503, page 35, line 12, by striking out "503" and inserting 504

They were agreed to.

The article was agreed to as amended.

The title was read.

On the question,

Will the House agree to the title?

Mr. McCANN offered the following amendments:

Amend Title, page 1, first line of Title, by striking out "Commonwealth" and inserting educational

Amend Title, page 1, second line of Title, by striking out "interest"

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1807, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), changing certain definitions providing additional definitions changing basis for reimbursement by the Commonwealth on certain accounts consolidating certain provisions further providing for reimbursement by the Commonwealth to school districts and vocational school districts providing payments for specialized services and harmonizing language of existing law.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1817, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949, providing for minimum compensation and increments and maximum mandated salary and increments and for qualifications for administrators and members of the faculty of State colleges providing for leaves of absence * * *.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1836, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), further classifying school districts and providing for the reorganization of school districts.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 520, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), granting a credit for certain suspensions toward revocation penalties including motorcycles within the provisions relating to reflectors and reflective materials providing for enforcement of equipment requirements further defining the duty to stop in the event of an accident * * *.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1050, entitled:

An Act making an appropriation to the Paoli Memorial Association for improvements and repairs and for erection of a wall on the Paoli Parade Ground situate in Malvern Borough Chester County.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1625, entitled:

An Act to provide for an additional law judge of the court of common pleas in the fiftieth judicial district and making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1831, entitled:

An Act increasing the number of courts of common pleas in the County of Philadelphia establishing therein a distinct and separate court of common pleas designated court of common pleas number eight and providing for the appointment and election of judges for the court.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 20, entitled:

An Act establishing a separate orphans' court in and for the County of Bucks

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

LEAVES OF ABSENCE

By unanimous consent leaves of absence were granted as follows:

Mr. Dougherty for Mr. WARGO for today because of illness.

Mr. Tompkins for Mr. MILLER for today because of death in family.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 67.

An Act to protect the public safety by regulating the mining of anthracite coal prescribing duties for certain municipal officers and imposing penalties.

With the information that the Senate had passed the same with amendments in which the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The clerk will read the amendments.

The clerk read the amendments as follows:

Amend Section 1, page 2, by striking out after line 18, the following: (b) Criterion to guide operators in their mining activities shall include bearing strength of coal in the vein or seam percentage of coal left in place uniformity of distribution of said percentage height of vein or seam nature of immediate roof over seam nature of floor of seam pitch of seam thickness of rock strata overlying the seam nature of rock strata thickness and nature of unconsolidated surface materials overlying rock strata proximity of and conditions in overlying or underlying seams underground water conditions in seam and underground water conditions in strata over the seam.

Amend page 4, by striking out after line 18 all of sections 4 and 5, as follows:

Section 4 The mayor of cities the burgess of boroughs the boards of township commissioners of townships of the first class and such engineers and other agents as they may employ shall at all reasonable times be given access to any portion of any anthracite coal mines or mining operation which it may be necessary or proper to inspect for the purpose of determining whether the provisions this act are being complied with and all reasonable facilities shall be extended by the owner or operator of such mine or mining operation for ingress egress and inspection

Section 5 The mayor of cities the burgess of boroughs the board of township commissioners in townships of the first class shall have the power to prevent the mining of anthracite coal beneath the surface in any mine or mining operation in which the pillars of coal shall not have been numbered and the numbers thereof designated by maps or tracings as provided by the act and where mining operations are being conducted in violation of this act they shall have the power to prevent any miner or laborer other than those necessary for the protection of life and property from entering the mine or mining operation until such time as the provisions of this act have been complied with; page 5, line 18, by striking out after word "Section" the numeral "6" and inserting in lieu thereof the numeral "4" and by inserting after the word "apply" the following: "in townships of the second class nor"; page 6, line 5, by striking out after the word "Section" the numeral "7" and inserting in lieu thereof the numeral "5"; line 11, by striking out at the beginning of the line the following: "one thousand dollars (\$1000)" and inserting in lieu thereof "one hundred dollars (\$100)"; line 12, by striking out after the word "than" the following: "five thousand dollars (\$5000)" and inserting in lieu thereof "five hundred dollars (\$500)"; line 14, by striking out after the word "court" the following: and in addition thereto shall be liable for the payment of damages to the owner of the property so

damaged in an amount as determined by law in a civil proceeding; line 17, by striking out after the word "Section" the numeral "8" and inserting in lieu thereof the numeral "6"; line 19, by striking out after the word "Section" the numeral "9" and inserting in lieu thereof the numeral "7"; page 7, line 4, by striking out after the word "Section" the number "10" and inserting in lieu thereof the number "8"; line 12, by striking out after the word "Section" the number "11" and inserting in lieu thereof the number "9"; line 14, by striking out after the word "Section" the number "12" and inserting in lieu thereof the number "10."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. TOMPKINS. Mr. Speaker, I move that the House do concur in the amendments inserted in House bill 67, printer's No. 2512, by the Senate, and ask for a record roll call on it. I ask all the members to vote in favor of concurrence.

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. McCANN. Mr. Speaker, I request the membership to vote "no," to nonconcur since the motion has been made by the minority whip. I ask the membership on this side of the House to vote "no" on the motion to concur in House bill 67.

On the question recurring,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—90

Adams,	Gibbons,	Kistler,	Snare,
Anderson, J. H.,	Goldstein, J. H.,	Kooper,	Steckel,
Ashton,	Goldstein, M. H.,	Korns,	Stimmel,
Auker,	Goodrich,	Lee, A. M.,	Stittler,
Backenstoe,	Gramlich,	Lee, K. B.,	Thompson,
Blair,	Gross,	Lippincott,	Tompkins,
Bossert,	Guthrie,	Manbeck,	Ujobal,
Bower,	Haudenschild,	Markley,	Varner,
Buchanan,	Heffner,	Marsh,	Wall,
Bush,	Helm,	May,	Weidner,
Davis,	Henzel,	McCandless,	Wescott,
Donaldson,	Hocker,	McInroy,	Whittaker,
Edwards,	Holl,	Merry,	Willard,
Elvey,	Holliday,	O'Dell,	Willaredt,
Eshback,	Holman,	Odorislo,	Williams, A. D.,
Eshleman,	Horst,	Ogilvie,	Williams, E. S.,
Esler,	Isaacs,	Piper,	Wilt,
Ewing,	Johnson, A. W.,	Pursley,	Wood,
Fetterolf,	Johnson, R. P.,	Royer,	Worley,
Foor,	Kelser,	Rutherford,	Wynd,
Fox,	Kernaghan,	Simmons,	Zember,
Fulmer,	Kessler,	Slack,	Zimmerman,
Gibb,	King,		

NAYS—95

Anderson, S. A.,	Gelfand,	McDonald,	Reldenbach,
Arlene,	Gray,	McKeever,	Renwick,
Boies,	Gremminger,	McLaughlin,	Riley,
Branca,	Hamilton,	McNally,	Rovansek,
Breth,	Hankins,	Meholchick,	Rubjn,
Capano,	Hartley,	Mills,	Rudisill,
Capitolo,	Heavey,	Monroe,	Sakulsky,
Cianfrani,	Irvis,	Morley,	Scarceill,
Cioffi,	Jenkins,	Mullen,	Schaaf,
Clarke,	Jim,	Munley,	Schuster,
Comer,	Jones,	Murphy,	Shelton,
Crossin,	Kamyk,	Murray,	Sherman,
Curwood,	Kelly,	Musto,	Shupnik,
Dougherty,	Klein,	Needham,	Stank,
Doughten,	Kornick,	O'Donnell, J. A.,	Sullivan, J. A.,
Ellberg,	Kramer,	O'Donnell, J. P.,	Taylor,
Farabaugh,	Lamb,	Parlante,	Tomasclik,
Filo,	Leonard,	Pashley,	Trusio,
Fineman,	Limper,	Perry,	Verona,
Flynn,	Long, Wm. Jos.,	Petrosky,	Walsh,

Frascella, Fry, Galley, Gallagher,	Lutty, Maxwell, McCann, McDevitt,	Polaski, Polen, Prendergast, Reibman,	Welsh, Yetter, Andrews, Speaker
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NOT VOTING—25

Bachman, Bonner, Bowman, Cauley, Cooley, Dengler, Dennison,	Down, Foerster, George, Greenlee, Guesman, Knecht,	Lawson, Long, Wm. Jas., Magee, McCormack, Mihm, Miller,	Price, Seltzer, Stone, Strausser, Sullivan, T. F., Wargo,
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Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the amendments were not concurred in.

Ordered, that the clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 197.

An Act relative to Commonwealth printing establishing conditions upon which contracts will be awarded and prescribing remedies and penalties for noncompliance with such conditions.

With the information that the Senate had passed the same with amendments in which the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The clerk will read the amendments.

The clerk read the amendments as follows:

Amend bill page 3, by inserting after line 14, the following:

Section 3 The provisions of this act shall not apply to newspaper advertising or to contracts made by school districts counties cities boroughs townships and incorporated towns and line 19, by striking out after the word "Section" the numeral "3" and inserting in lieu thereof the numeral "4."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—181

Adams, Anderson, J. H., Anderson, S. A., Arlene, Ashton, Auker, Backenstoe, Blair, Boles, Bossert, Bower, Branca, Breth, Buchanan, Bush, Capano, Capitolo, Cianfrani,	Gelfand, George, Gibb, Gibbons, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Gray, Gremminger, Gross, Guthrie, Hamilton, Hankins, Hartley, Haudenshield, Heavey, Heffner,	Leonard, Limper, Long, Wm. Jos., Lutty, Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McDevitt, McDonald, McInroy, McKeever, McLaughlin, McNally, Meholchick,	Riley, Rovanssek, Royer, Rubin, Rudisill, Rutherford, Sakulsky, Scarcell, Schaaf, Schuster, Shupnik, Shelton, Sherman, Simmons, Slack, Snare, Stank, Steckel,
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Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Donaldson, Dougherty, Doughten, Edwards, Ellberg, Elvey, Eshback, Eshleman, Esler, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Flynn, Foor, Fox, Frascella, Fry, Fulmer, Gallagher, Galley,	Helm, Henzel, Hocker, Holl, Holliday, Holman, Irvis, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kelser, Kelly, Kernaghan, Kessler, King, Klein, Kooker, Kornick, Korns, Kramer, Lamb, Lawson, Lee, A. M., Lee, K. B.,	Merry, Mills, Monroe, Morley, Mullen, Munley, Murphy, Murray, Musto, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, Parlante, Pashley, Perry, Petrosky, Piper, Polaski, Polen, Prendergast, Pursley, Reibman, Reidenbach, Renwick,	Stimmel, Stiteler, Sullivan, J. A., Taylor, Thompson, Tomascik, Tompkins, Trusio, Ujobal, Varner, Verona, Wall, Weidner, Welsh, Wescott, Whittaker, Willard, Willaredt, Williams, A. D., Williams, E. S., Wood, Worley, Wynd, Yetter, Zemmer, Zimmerman, Andrews, Speaker
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NAYS—6

Horst, Isaacs,	Kistler, Lippincott,	McCormack,	Walsh,
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NOT VOTING—23

Bachman, Bonner, Bowman, Cauley, Cooley, Dengler,	Dennison, Down, Foerster, Greenlee, Guesman, Knecht,	Long, Wm. Jas., Magee, Mihm, Miller, Price, Seltzer,	Stone, Strausser, Sullivan, T. F., Wargo, Wilt,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, that the clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1083.

An Act amending the act of April 12, 1951 (P. L. 90), entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" providing for the issuance by the board of identification cards and changing penalties.

With the information that the Senate had passed the same with amendments in which the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The clerk will read the amendments.

The clerk read the amendments as follows:

Amend Section 1, page 2, line 9, by striking out after the word "citizen" the words "of this Commonwealth"; page 3, line 6, by striking out after the word "it" where it appears the first time the words "but not in excess of two dollars (\$2)"; line 10, by striking out after the part word "scribe" the words "not to exceed five dollars"; line 14, by striking out after the word "to" the word "verify" and inserting in lieu thereof the word "verify."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—155

Adams.	Gibbons.	Marsh,	Rudisill,
Anderson, J. H.,	Goldstein, M. H.,	Maxwell,	Rutherford,
Anderson, S. A.,	Gramlich,	McCann,	Sakulsky,
Arlene,	Gray,	McCormack,	Scarcelli,
Ashton,	Gremminger,	McDevitt,	Schaaf,
Auker,	Gross,	McDonald,	Schuster,
Backenstoe,	Guthrie,	McInroy,	Shelton,
Boles,	Hamilton,	McKeever,	Sherman,
Bower,	Hankins,	McLaughlin,	Shupnik,
Branca,	Hartley,	McNally,	Stimmons,
Breth,	Haudenshield,	Meholchick,	Slack,
Buchanan,	Heavey,	Mills,	Snare,
Capano,	Heffner,	Monroe,	Stank,
Capitolo,	Helm,	Morley,	Steckel,
Cianfrani,	Henzel,	Mullen,	Stimmel,
Cioffi,	Hocker,	Munley,	Stone,
Clarke,	Holl,	Murphy,	Sullivan, J. A.,
Comer,	Holliday,	Murray,	Sullivan, T. F.,
Crossin,	Irvie,	Needham,	Taylor,
Curwood,	Jenkins,	O'Donnell, J. A.,	Thompson,
Davis,	Jim,	O'Donnell, J. P.,	Tomasck,
Donaldson,	Johnson, R. P.,	Odorisio,	Tompkins,
Dougherty,	Jones,	Ogilvie,	Trusio,
Doughten,	Kamyk,	Parlante,	Ujobal,
Ellberg,	Kelser,	Pashley,	Varner,
Eshleman,	Kelly,	Perry,	Verona,
Esler,	Kessler,	Petrosky,	Walsh,
Ewing,	Klein,	Piper,	Welsh,
Farabaugh,	Kooker,	Polaski,	Wescott,
Fetterolf,	Kornick,	Polen,	Willaredt,
Filo,	Kramer,	Prendergast,	Williams, A. D.,
Fineman,	Lamb,	Pursley,	Williams, E. S.,
Flynn,	Lee, A. M.,	Reibman,	Wilt,
Frascella,	Lee, K. B.,	Reidenbach,	Wood,
Fry,	Leonard,	Renwick,	Worley,
Galley,	Limper,	Riley,	Wynd,
Gallagher,	Long, Wm. Jos.,	Rovansek,	Yetter,
Gelfand,	Lutty,	Royer,	Zember,
Gibb,	Markley,	Rubin,	

NAYS—32

Blair,	Fulmer,	Kernaghan,	Merry,
Bossert,	George,	King,	O'Dell,
Bush,	Goldstein, J. H.,	Kistler,	Stiteler,
Edwards,	Goodrich,	Korns,	Wall,
Elvey,	Holman,	Lippincott,	Weidner,
Eshback,	Horst,	Manbeck,	Whittaker,
Foor,	Isaacs,	May,	Willard,
Fox,	Johnson, A. W.,	McCandless,	Zimmerman,

NOT VOTING—23

Bachman,	Dennison,	Lawson,	Price,
Bonner,	Down,	Long, Wm. Jas.,	Seltzer,
Bowman,	Foerster,	Magee,	Strausser,
Cauley,	Greenlee,	Mihm,	Wargo,
Cooley,	Guesman,	Miller,	Andrews,
Dangler,	Knecht,	Musto,	Speaker

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, that the clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1174.

An Act relating to public works contracts providing for prevailing wages imposing duties upon the Secretary of Labor and Industry providing remedies penalties and repealing existing laws.

With the information that the Senate had passed the same with amendments in which the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The clerk will read the amendments.

The clerk read the amendments as follows:

Amend Section 2, page 2, line 15, by striking out after the word "alteration" the word "and" and inserting in lieu thereof the words "and/or" and by striking out after the word "works" the words "of highways and bridges and excludes."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—183

Adams,	George,	Lee, K. B.,	Rovansek,
Anderson, J. H.,	Gibb,	Leonard,	Rubin,
Anderson, S. A.,	Gibbons,	Limper,	Rudisill,
Arlene,	Goldstein, J. H.,	Long, Wm. Jos.,	Rutherford,
Auker,	Goldstein, M. H.,	Lutty,	Sakulsky,
Backenstoe,	Goodrich,	Manbeck,	Scarcelli,
Blair,	Gramlich,	Marsh,	Schaaf,
Boles,	Gray,	Maxwell,	Schuster,
Bossert,	Gremminger,	May,	Shelton,
Bower,	Gross,	McCandless,	Sherman,
Branca,	Guesman,	McCann,	Shupnik,
Breth,	Guthrie,	McCormack,	Stimmons,
Buchanan,	Hamilton,	McDevitt,	Slack,
Bush,	Hankins,	McDonald,	Snare,
Capano,	Hartley,	McInroy,	Stank,
Capitolo,	Haudenshield,	McKeever,	Steckel,
Cianfrani,	Heavey,	McLaughlin,	Stimmel,
Cioffi,	Heffner,	McNally,	Stone,
Clarke,	Helm,	Meholchick,	Sullivan, J. A.,
Comer,	Henzel,	Merry,	Sullivan, T. F.,
Crossin,	Hocker,	Mills,	Taylor,
Curwood,	Holl,	Monroe,	Thompson,
Davis,	Holliday,	Morley,	Tomasck,
Donaldson,	Holman,	Mullen,	Tompkins,
Dougherty,	Horst,	Munley,	Trusio,
Doughten,	Irvie,	Murphy,	Ujobal,
Edwards,	Isaacs,	Murray,	Varner,
Ellberg,	Jenkins,	Musto,	Verona,
Elvey,	Jim,	Needham,	Wall,
Eshback,	Johnson, A. W.,	O'Dell,	Walsh,
Eshleman,	Johnson, R. P.,	O'Donnell, J. A.,	Weidner,
Esler,	Jones,	O'Donnell, J. P.,	Welsh,
Ewing,	Kamyk,	Ogilvie,	Wescott,
Farabaugh,	Kelser,	Parlante,	Whittaker,
Fetterolf,	Kelly,	Pashley,	Willard,
Filo,	Kernaghan,	Perry,	Willaredt,
Fineman,	Kessler,	Petrosky,	Williams, A. D.,
Flynn,	King,	Piper,	Williams, E. S.,
Foor,	Kistler,	Polaski,	Wood,
Fox,	Klein,	Polen,	Worley,
Frascella,	Kooker,	Prendergast,	Wynd,
Fry,	Kornick,	Pursley,	Yetter,
Fulmer,	Kramer,	Reibman,	Zember,
Galley,	Lamb,	Renwick,	Zimmerman,
Gallagher,	Lawson,	Royer,	Andrews,
Gelfand,	Lee, A. M.,	Riley,	Speaker

NAYS—4

Ashton, Kornis, Lippincott, Stiteler,

NOT VOTING—23

Bachman, Dennison, Magee, Reidenbach,
Bonner, Down, Markley, Seltzer,
Bowman, Foerster, Mihm, Strausser,
Cauley, Greenlee, Miller, Wargo,
Cooley, Knecht, Odorisio, Wilt,
Dengler, Long, Wm. Jas., Price,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, that the clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1668.

An Act amending the act of June 29, 1953 (P. L. 304), entitled "An act providing for the administration of a statewide system of vital statistics prescribing the functions of the State Department of Health the State Advisory Health Board and local registrars imposing duties upon coroners prothonotaries clerks of orphans' courts physicians midwives and other persons requiring reports and certificates for the registration of vital statistics regulating the disposition of dead bodies limiting the disclosure of records prescribing the sufficiency of vital statistics records as evidence prescribing fees and penalties and revising and consolidating the laws relating thereto" requiring reports of deaths to be made to County Registration Commissions.

With the information that the Senate had passed the same with amendments in which the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The clerk will read the amendments.

The clerk read the amendments as follows:

Amend Section 1, page 2, line 5, by striking out after the word "shall" the words "on or before the tenth day of each month" and line 6, by inserting at the beginning of the line the word "monthly."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

Adams, Gibb, Lippincott, Royer,
Anderson, J. H., Long, Wm. Jos., Rubin,
Anderson, S. A., Goldstein, J. H., Luty, Rudisill,
Arlene, Goldstein, M. H., Magee, Rutherford,
Ashton, Goodrich, Manbeck, Sakulsky,
Auker, Gramlich, Markley, Scarcelll,
Backenstoe, Gray, Marsh, Schaar,
Blair, Gremminger, May, Schuster,
Boles, Gross, Maxwell, Shelton,
Boessert, Guesman, McCandless, Sherman,
Bower, Guthrie, McCann, Shupnik,
Branca, Hamilton, McCormack, Simmons,
Breth, Hankins, McDevitt, Slack,
Buchanan, Hartley, McDonald, Snare,

Bush, Haudenshield, McInroy, Stank,
Capano, Heavey, McKeever, Steckel,
Capitolo, Heffner, McLaughlin, Stimmel,
Clanfrani, Helm, McNally, Stiteler,
Cioffi, Henzel, Mehlichick, Stone,
Clarke, Hocker, Merry, Sullivan, J. A.,
Comer, Holl, Monroe, Sullivan, T. F.,
Crossin, Holliday, Morley, Taylor,
Curwood, Holman, Mullen, Thompson,
Davis, Horst, Munley, Tomascik,
Donaldson, Irvis, Murphy, Tompkins,
Dougherty, Isaacs, Murray, Trusio,
Doughten, Jenkins, Musto, Ujohal,
Edwards, Jim, Needham, Varnier,
Ellberg, Johnson, A. W., O'Dell, Verona,
Elvey, Johnson, R. P., O'Donnell, J. A., Wall,
Eshback, Jones, O'Donnell, J. P., Walsh,
Eshleman, Kamyk, Odorisio, Weldner,
Esler, Kelsner, Ogilvie, Welsh,
Ewing, Kelly, Parlante, Wescott,
Farabaugh, Kernaghan, Pashley, Whittaker,
Fetterolf, Kessler, Perry, Willard,
Fllo, King, Petrosky, Willaredt,
Fineman, Kistler, Piper, Williams, A. D.,
Flynn, Klein, Polaski, Williams, E. S.,
Foor, Kooker, Polen, Wilt,
Fox, Kornick, Prendergast, Wood,
Fracella, Kornis, Price, Worley,
Fry, Kramer, Pursley, Wynd,
Fullmer, Lamb, Reibman, Yetter,
Galley, Lee, A. M., Reidenbach, Zember,
Gallagher, Lee, K. B., Renwick, Zimmerman,
Gelfand, Leonard, Riley, Andrews,
George, Limper, Rovanssek, Speaker

NAYS—0

NOT VOTING—19

Bachman, Dengler, Knecht, Mills,
Bonner, Dennison, Lawson, Seltzer,
Bowman, Down, Long, Wm. Jas., Strausser,
Cauley, Foerster, Mihm, Wargo,
Cooley, Greenlee, Miller,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, that the clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE RESOLUTION RETURNED FOR CONCURRENCE

The clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows, viz:

HOUSE RESOLUTION No. 62.

Congress memorialized to adopt the equal rights for women amendment.

With information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The clerk will read the amendments.

The clerk read the amendments as follows:

Amend Resolution, page 2, by inserting lines 1, 2, 3 and the beginning of line 4, as follows: with the provision that it shall not be construed to impair any rights, benefits or exemptions now or hereafter conferred by law upon persons of the female sex.

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

On the question,

Will the House agree to the motion?

Mr. TOMPKINS. Mr. Speaker, it seems to me that the amendments inserted in this resolution by the Senate are not being fair to the fair sex inasmuch as they are trying to preserve all the equities and inequities which now exist, instead of trying to give them equal rights. For that reason we will go along with non-concurrence.

On the question recurring,

Will the House agree to the motion to nonconcur in the amendments?

It was agreed to.

Ordered, that the clerk inform the Senate accordingly.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 698, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" making it illegal to buy sell alter or attempt to obtain by fraudulent means a diploma certificate or similar instrument and providing penalties.

On the question,

Will the House agree to the bill on third reading?

Messrs. A. W. JOHNSON and IRVIS asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Title, page 1, next to last line of Title, by inserting after "instrument" prohibiting certain fraudulent acts pertaining to licensing, registration or certification of any person.

Amend Sec. 1, page 2, line 2, by striking out "a new section" and inserting: two new sections.

Amend Sec. 1, page 2, by inserting after line 15:

Section 674.2. State License, Registration or Certification.—Any employe, administrator or member of any State licensing board who shall alter an examination, inquiry or other record, or sell questions contained in examinations or answers thereto, to be used to secure a license, or who shall otherwise fraudulently influence or interfere with the granting or withholding of any license, registration or certification of any person, shall be guilty of a misdemeanor, and upon conviction thereof shall be sentenced to pay a fine not exceeding two thousand dollars (\$2,000), or to undergo imprisonment not exceeding two (2) years, or both.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

Mr. A. W. JOHNSON. Mr. Speaker, the reason for these amendments is that several weeks ago when we were examining the present bill, the question of possible chicanery in the public licensing department came up. We examined the law and it appeared that there was a possible gap in the law as to fraud by employes, administrators and members of State licensing boards. There is quite a comprehensive act which covers fraudulent examination papers, and so forth. We drafted some amendments and submitted them to the majority party. We have gotten together and discussed the amendments, and these amendments are agreed upon by both parties and are co-sponsored by Mr. Irvis and myself. They consolidate into one crime the tampering with licensing and make the penalty \$2,000 or two years.

On the question recurring,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 76, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929" increasing the maximum number of officers and men in the aggregate in the Pennsylvania State Police and making editorial changes.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. TOMPKINS. Mr. Speaker, this bill increases the size of the State Police force of the State of Pennsylvania. I had intended to offer amendments to this bill, but I find there is presently a law on the statute books covering the subject of my proposed amendments.

I want to read that law. It is the act of April 27, 1927, and it provides: "It shall be the duty of the Pennsylvania State Police to cooperate with agencies of other states and of the United States having similar powers to develop and carry on a complete interstate, national and international system of criminal identification and investigation"—and this is the important part of this section—"and also to furnish upon request any information in its possession concerning any person charged with crime to any court, district attorney or police officers of this Commonwealth or of another state or of the United States."

Mr. Speaker, the Pennsylvania State Police, I think, sometimes lose sight of the fact that they have a criminal investigation division. They are not all highway patrolmen, although the highway patrolmen in the exercise of their functions at times make arrests involving criminal charges. They also assist in criminal investigations, and, when we have cases in which they are involved, I say to you that they are as much bound by this section of the law so far as their duties are concerned as they are in the enforcement of the laws for which they are being hired and paid.

The complaints which I have received from district attorneys around the State of Pennsylvania regarding the closing of the files of the Pennsylvania State Police against their getting information to be able to properly prosecute their cases in court is causing a breakdown in the administration of justice. I certainly think that the Pennsylvania State Police should be directed—and I understand the Attorney General has already issued such a directive, and I want to do so from the floor of this House today on behalf of the General Assembly—that these files of the State Police shall be available to the district attorneys for the proper functioning of our courts of justice. I hope they will take heed to the laws that are on the statute books of Pennsylvania today.

On the question recurring,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—186

Anderson, J. H.,	Gibb,	Lippincott,	Rovansek,
Anderson, S. A.,	Gibbons,	Long, Wm. Jos.,	Royer,
Arlene,	Goldstein, J. H.,	Lutty,	Rubin,
Ashton,	Goldstein, M. H.,	Magee,	Rudisill,
Auker,	Goodrich,	Manbeck,	Rutherford,
Backenstoe,	Gramlich,	Markley,	Sakulsky,
Blair,	Gray,	Marsh,	Scarcelli,
Boles,	Gremminger,	Maxwell,	Schaaf,
Bossert,	Gross,	May,	Schuster,
Bower,	Guesman,	McCandless,	Shelton,
Branca,	Guthrie,	McCann,	Sherman,
Breth,	Hamilton,	McDevitt,	Shupnik,
Buchanan,	Hankins,	McDonald,	Simmons,
Bush,	Hartley,	McInroy,	Slack,
Capano,	Haudenschild,	McKeever,	Snare,
Capitolo,	Heavey,	McLaughlin,	Stank,
Cianfrani,	Heffner,	McNally,	Steckel,
Cioffi,	Helm,	Meholchick,	Stimmel,
Clarke,	Henzel,	Merry,	Stiteler,
Comer,	Hocker,	Mills,	Sullivan, J. A.,
Crossin,	Holl,	Monroe,	Sullivan, T. F.,
Curwood,	Holliday,	Morley,	Taylor,
Davis,	Holman,	Munley,	Thompson,
Donaldson,	Horst,	Murphy,	Tomasick,
Dougherty,	Irviss,	Murray,	Tompkins,
Doughten,	Isaacs,	Musto,	Ujbal,
Edwards,	Jenkins,	Needham,	Varnier,
Ellberg,	Jim,	O'Dell,	Verona,
Elvey,	Johnson, A. W.,	O'Donnell, J. A.,	Wall,
Eshback,	Johnson, R. P.,	O'Donnell, J. P.,	Walsh,
Eshleman,	Jones,	Ogdislo,	Weidner,
Esler,	Kamyk,	Oglvie,	Welsh,
Ewing,	Kelser,	Parlante,	Wescott,
Farabaugh,	Kernaghan,	Pashley,	Whittaker,
Fetterolf,	Kessler,	Perry,	Willard,
Filo,	King,	Petrosky,	Willaredt,
Fineman,	Kistler,	Piper,	Williams, A. D.,
Flynn,	Knecht,	Polaski,	Williams, E. S.,
Foor,	Kooker,	Polen,	Wilt,
Fox,	Kornick,	Prendergast,	Wood,
Frascella,	Korns,	Price,	Worley,
Fry,	Kramer,	Pursley,	Wynd,
Fulmer,	Lamb,	Reibman,	Yetter,
Galley,	Lee, A. M.,	Reidenbach,	Zember,
Gallagher,	Lee, K. B.,	Renwick,	Zimmerman,
Gelfand,	Leonard,	Riley,	Andrews,
George,	Limper,		Speaker

NAYS—0

NOT VOTING—24

Adams,	Dengler,	Klein,	Mullen,
Bachman,	Dennison,	Lawson,	Seltzer,
Bonner,	Down,	Long, Wm. Jas.,	Stone,
Bowman,	Foerster,	McCormack,	Strausser,
Cauley,	Greenlee,	Mihm,	Trusio,
Cooley,	Kelly,	Miller,	Wargo,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

THE SPEAKER (Hiram G. Andrews) IN THE CHAIR

The SPEAKER. The Chair recognizes the majority leader.

Mr. McCANN. Mr. Speaker, before I call the next bill, I ask that the House consider carefully the situation so there will not be any remarks that are out of order.

Mr. Speaker, I call up Senate bill No. 8, printer's No. 13, which will be debatable, and amendments are being offered.

STATEMENT BY SPEAKER

The SPEAKER. We are on exhibition as a parliamentary body, a body deciding great issues, and the public sees us through the eyes of the press. If, in connection with this piece of legislation or anything else, we are disorderly and do not maintain the dignity that we should, we certainly add to the adverse comment and the adverse thinking about us that has appeared in the press.

The Chair hopes, however we vote, that we maintain the dignity of this body by no untoward noises or comments.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 8, entitled:

An Act selecting designating and adopting the Great Dane as the official dog of the Commonwealth of Pennsylvania.

On the question,

Will the House agree to the bill on third reading?

The SPEAKER. For what purpose does the gentleman from Washington, Mr. Murphy, rise?

Mr. MURPHY. To make a motion, Mr. Speaker.

The SPEAKER. What is the gentleman's motion?

Mr. MURPHY. Mr. Speaker, at a time when we are engaged in many great tasks for the Commonwealth—

The SPEAKER. Will the gentleman make his motion and then comment?

Mr. MURPHY. Mr. Speaker, I would like to move that we recommit Senate bill No. 8—

The SPEAKER. Will the gentleman please yield?

The Chair would like to consult with the majority leader to find out whether there are any agreements as to procedure—

Mr. MURPHY. I would like to remind the Speaker that I have been granted the floor.

The SPEAKER. The Chair would also remind the gentleman that his parliamentary rights will not be ignored by the Speaker.

Mr. MURPHY. Thank you, Mr. Speaker.

The SPEAKER. There are certain courtesies that prevail in this House which the Speaker desires to observe.

The Chair recognizes the gentleman from Washington, Mr. Murphy.

Mr. MURPHY. Mr. Speaker, at a time when this House, when both legislative bodies are engaged in very serious deliberations concerning the—

The SPEAKER. The gentleman has the floor for the purpose of making a motion, and then he may have the floor for the purpose of speaking on his motion.

BILL RECOMMITTED

Mr. MURPHY. Mr. Speaker, I move that Senate bill No. 8, printer's No. 13, be recommitted to the Committee on Rules.

On the question,

Will the House agree to the motion?

Mr. MURPHY. Mr. Speaker, the reason that I rise to make this motion is that there are many, many tasks before this legislative body at the present time concerning the educational problem, the problem of reapportionment of the various representative districts, finances, non-

preferred appropriations, many things that will keep us in session for many weeks to come. I think that if we were going to deliberate on a bill of this nature it should have been brought up earlier in the session and not at this time when we must devote our entire effort to serious legislative matters.

The SPEAKER. The Chair recognizes the gentleman from Schuylkill. For what purpose does the gentleman rise?

Mr. HEFFNER. To speak on the motion, Mr. Speaker.

The SPEAKER. The gentleman is in order.

Mr. HEFFNER. Mr. Speaker, I agree with my colleague from Washington, Mr. Murphy. I highly resent the fact that we are going to waste some time here in the House this day to vote on some nonsensical legislation. Mr. Speaker, you made the remark that we are seen through the eyes of the press, and that is true. This bill, frankly, is ridiculous and I believe we ought to kill it right now and send it back to committee.

I do not own a dog, but, if I did, I would not want it to be the official dog in Pennsylvania because it is unnecessary.

The SPEAKER. The Chair recognizes the gentleman from Westmoreland, Mr. Jim.

Mr. JIM. Mr. Speaker, I would like to make a short statement in regard to the motion to recommit Senate bill No. 8, a very short statement.

The SPEAKER. The gentleman is in order.

Mr. JIM. Mr. Speaker, I have a statement here from the Joint State Government Commission:

As per your request of July 22, 1961, we have checked the records and find no state with an official dog. The State of Kansas has an American Buffalo; the State of Wisconsin has the Badger; other states have official birds, but we find no state with an official dog.

Therefore, I second the motion to recommit Senate bill No. 8.

The SPEAKER. The Chair recognizes the gentleman from Blair, Mr. Auker.

Mr. AUKER. Mr. Speaker, I rise to support the motion for recommitment, and I certainly hope if the vote is sustained and it goes back to the Rules Committee that this bill will receive a real burial.

I spoke on this same thing in 1959. I am going to say again that I think it is asinine to consider such legislation. I ask for a roll call.

The SPEAKER. The roll will be called in due time; the Chair recognizes the gentleman from Philadelphia, Mr. Gelfand.

Mr. GELFAND. Mr. Speaker, I, too, would like to add my voice to those who have already preceded me and add some weight to the motion to recommit this bill.

If ever there was legislation that demeans this body as being a dignified one, this is certainly the type of legislation that does. It certainly demonstrates, when we report legislation out on the floor such as this for serious consideration, that either we have nothing to do, that we are just wasting time, or we are people who are not in the legislative halls to conduct serious business. It is just a demonstration that we have reached the bottom of the barrel so far as legislation is concerned, and that we are just piddling around wasting the Commonwealth's time and money and that we have nothing further of benefit

to do except wait for something to come up and have something to talk about. I think that as a legislative body we should act with dignity with a serious purpose, and this type of legislation shows that we do not.

Therefore, I would like to add my voice as strongly as I can to the motion to recommit this legislation, not for further study but so that it can go deep into the well of limbo and will never be reconsidered again by this House.

The SPEAKER. The Chair desires to say that this, of course, is a Senate bill.

For what purpose does the gentleman from Allegheny, Mr. Filo, rise?

Mr. FILO. Mr. Speaker, I move the previous question, please.

The SPEAKER. The Chair hears no second.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Messrs. AUKER and MURPHY and were as follows:

YEAS—118

Adams,	Gelfand,	Lee, A. M.,	Pursley,
Anderson, J. H.	Goldstein, J. H.,	Lee, K. B.,	Reidenbach,
Auker,	Goldstein, M. H.,	Long, Wm. Jos.,	Rovansek,
Bachman,	Goodrich,	Magee,	Royer,
Backenstoe,	Gramlich,	Manbeck,	Rudisill,
Blair,	Gray,	Marsh,	Rutherford,
Boies,	Greenlee,	May,	Schaaf,
Bossert,	Gross,	McCandless,	Sherman,
Breth,	Guesman,	McCann,	Shupnik,
Buchanan,	Guthrie,	McDevitt,	Snare,
Bush,	Hamilton,	McDonald,	Steckel,
Capano,	Hartley,	McInroy,	Sullivan, J. A.,
Cioffi,	Heffner,	McKeever,	Sullivan, T. F.,
Clarke,	Henzel,	McLaughlin,	Taylor,
Crossin,	Hocker,	McNally,	Thompson,
Curwood,	Holl,	Mehoichick,	Tompkins,
Davis,	Holliday,	Merry,	Trusio,
Doughten,	Holman,	Monroe,	Verona,
Edwards,	Horst,	Morley,	Wall,
Elvey,	Irvis,	Munley,	Walsh,
Eshback,	Jenkins,	Murphy,	Weidner,
Eshleman,	Jim,	Murray,	Welsh,
Farabaugh,	Kelser,	Musto,	Wescott,
Fetterolf,	King,	Needham,	Willard,
Filo,	Kistler,	Ogilvie,	Willaredt,
Foor,	Knecht,	Piper,	Williams, E. S.,
Fox,	Korns,	Polaski,	Wood,
Fry,	Kramer,	Polen,	Wynd,
Fulmer,	Lamb,	Prendergast,	Zember,
Galley,	Lawson,		

NAYS—70

Anderson, S. A.,	Gibb,	Lippincott,	Scarcelli,
Arlene,	Gibbons,	Lutty,	Schuster,
Ashton,	Gremmlinger,	Markley,	Shelton,
Bower,	Haudenschild,	McCormack,	Simmons,
Branca,	Heavey,	Mullen,	Slack,
Capitolo,	Helm,	O'Dell,	Stank,
Cianfrani,	Isaacs,	O'Donnell, J. A.,	Stimmel,
Comer,	Johnson, A. W.,	O'Donnell, J. P.,	Stiteler,
Dennison,	Johnson, R. P.,	Odorisio,	Tomasck,
Donaldson,	Jones,	Parlante,	Ujobal,
Dougherty,	Kamyk,	Pashley,	Varner,
Eilberg,	Kelly,	Petrosky,	Whittaker,
Esler,	Kernaghan,	Price,	Williams, A. D.,
Ewing,	Kessler,	Reibman,	Wilt,
Fineman,	Kooker,	Renwick,	Yetter,
Flynn,	Kornick,	Riley,	Zimmerman,
Frascella,	Leonard,	Rubin,	Andrews,
Gallagher,	Limper,		Speaker

NOT VOTING—22

Bonner,	Foerster,	Mihm,	Seitzer,
Bowman,	George,	Miller,	Stone,
Cauley,	Hankins,	Mills,	Strausser,
Cooley,	Klein,	Perry,	Wargo,
Dengler,	Long, Wm. Jas.,	Sakulsky,	Worley,
Down,	Maxwell,		

So the question was determined in the affirmative and the motion was agreed to.

Mr. HELM IN THE CHAIR

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny, Mr. Filo.

Mr. FILO. Mr. Speaker, I want to make a brief observation here. From the time the motion was made, with several speakers speaking on the bill, it took approximately 9½ minutes to do away with this bill.

Thank you.

The SPEAKER pro tempore. The Chair thanks the time-keeper.

PERMISSION TO ADDRESS HOUSE

Mr. KING asked and obtained unanimous consent to address the House.

Mr. Speaker, I would like to suggest that this House establish some sort of a permanent committee, if this is possible, to take care of bills such as Senate bill 8, instead of burdening the legislature and the taxpayers of Pennsylvania with this sort of legislation. In the future if some party or parties want to promote various breeds of dogs or cats, trees, albino deer, snowy white owls, raccoon meat, or what-have-you, they could act through this committee. I would suggest that this committee, Mr. Speaker, be called the committee on trivia. Thank you.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1771, entitled:

An Act amending "The Fourth to Eighth Class County Assessment Law" approved May 21, 1943 (P. L. 571), authorizing taxation of land owned by school districts for certain purposes.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—175

Adams,	Galley,	Lippincott,	Riley,
Anderson, J. H.	George,	Long, Wm. Jos.,	Rovansek,
Anderson, S. A.,	Gibb,	Lutty,	Rubin,
Arlene,	Gibbons,	Magee,	Rudisill,
Ashton,	Goldstein, J. H.,	Manbeck,	Rutherford,
Auker,	Goldstein, M. H.,	Markley,	Sakulsky,
Bachman	Goodrich,	Marsh,	Scarcelli,
Backenstoe,	Gramlich,	Maxwell,	Schaaf,
Blair,	Gray,	May,	Schuster,
Boles,	Greenlee,	McCandless,	Shelton,
Bossert,	Gremminger,	McCann,	Sherman,
Bower,	Gross,	McCormack,	Shupnik,
Branca,	Guthrie,	McDevitt,	Simmons,
Breth,	Hamilton,	McInroy,	Slack,
Buchanan,	Hankins,	McKeever,	Snare,
Bush,	Hartley,	McLaughlin,	Stank,
Capano,	Haudenschild,	McNally,	Steckel,
Cianfrani,	Helm,	Meholchick,	Stimmel,
Cioffi,	Henzel,	Merry,	Taylor,
Clarke,	Hocker,	Mills,	Thompson,
Comer,	Holl,	Monroe,	Tomascik,
Crossin,	Holliday,	Morley,	Tompkins,
Curwood,	Holman,	Mullen,	Trusio,
Davis,	Horst,	Munley,	Ujobai,
Dennison,	Irvie,	Murphy,	Varnier,
Donaldson,	Isaacs,	Murray,	Verona,
Dougherty,	Jenkins,	Musto,	Wall,
Doughten,	Jim,	Needham,	Walsh,
Edwards,	Johnson, A. W.,	O'Dell,	Weidner,

Eilberg,	Johnson, R. P.,	O'Donnell, J. P.,	Welsh,
Elvey,	Jones,	Odorisio,	Wescott,
Eshback,	Kamyk,	Ogilvie,	Whittaker,
Eshleman,	Keiser,	Parlante,	Willard,
Esler,	Kernaghan,	Pashley,	Willaredt,
Ewing,	Kessler,	Perry,	Williams, A. D.,
Farabaugh,	King,	Petrosky,	Williams, E. S.,
Fetterolf,	Knecht,	Piper,	Wilt,
Filo,	Kooker,	Polaski,	Wood,
Flynn,	Kornick,	Polen,	Worley,
Foor,	Kramer,	Prendergast,	Wynd,
Fox,	Lamb,	Price,	Zember,
Frascella,	Lee, A. M.,	Pursley,	Zimmerman,
Fry,	Lee, K. B.,	Reidenbach,	Andrews,
Fulmer,	Leonard,	Renwick,	Speaker

NAYS—15

Gallagher,	Kelly,	McDonald	Sullivan, J. A.,
Guesman,	Kistler,	O'Donnell, J. A.,	Sullivan, T. F.,
Heavey,	Korns,	Reibman,	Yetter,
Hefner,	Limper,	Stiteler,	

NOT VOTING—20

Bonner,	Dengler,	Klein,	Royer,
Bowman,	Down,	Lawson,	Seltzer,
Capitolo,	Fineman,	Long, Wm. Jas.,	Stone,
Cauley,	Foerster,	Mihm,	Schausser,
Cooley,	Gelfand,	Miller,	Wargo,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1768, entitled:

An Act amending the act of January 5, 1952 (P. L. 1833), entitled as amended "An act to provide for the coverage of certain officers and employes of the Commonwealth and its political subdivisions under the old-age and survivor insurance provisions of Title 11 of the Federal Social Security Act as amended * * *" removing the limitation on retirement benefits.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

Adams,	Gibbons,	Long, Wm. Jos.,	Royer,
Anderson, J. H.	Goldstein, J. H.,	Lutty,	Rubin,
Anderson, S. A.,	Goldstein, M. H.,	Magee,	Rudisill,
Arlene,	Goodrich,	Manbeck,	Rutherford,
Ashton,	Gramlich,	Markley,	Sakulsky,
Auker,	Gray,	Marsh,	Scarcelli,
Bachman	Greenlee,	Maxwell,	Schaaf,
Backenstoe,	Gremminger,	May,	Schuster,
Blair,	Gross,	McCandless,	Shelton,
Boles,	Guesman,	McCann,	Sherman,
Bossert,	Guthrie,	McCormack,	Shupnik,
Bower,	Hamilton,	McDevitt,	Simmons,
Branca,	Hankins,	McDonald,	Slack,
Breth,	Hartley,	McInroy,	Snare,
Buchanan,	Haudenschild,	McKeever,	Stank,
Bush,	Heavy,	McLaughlin,	Steckel,
Capano,	Hefner,	McNally,	Stimmel,
Cianfrani,	Helm,	Meholchick,	Stiteler,
Clarke,	Henzel,	Merry,	Stone,
Comer,	Hocker,	Mills,	Sullivan, J. A.,
Crossin,	Holl,	Monroe,	Sullivan, T. F.,
Curwood,	Holliday,	Morley,	Taylor,
Davis,	Holman,	Mullen,	Thompson,
Dennison,	Horst,	Munley,	Tomascik,
Donaldson,	Irvie,	Murphy,	Tompkins,
Dougherty,	Isaacs,	Murray,	Trusio,

Doughten, Edwards, Elberg, Elvey, Eshback, Eshleman, Esler, Ewing, Farabaugh, Fetterolf, Filo, Flynn, Foor, Fox, Frascella, Fry, Fulmer, Galley, Gallagher, Gelfand, George, Gibb,	Jenkins, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kelser, Kernaghan, Kessler, King, Kistler, Klein, Knecht, Kooker, Kornick, Korns, Kramer, Lamb, Lee, A. M., Lee, K. B., Leonard, Limper, Lippincott,	Musto, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, Parlante, Pashley, Perry, Petrosky, Piper, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick, Riley, Rovanse,	Ujobai, Varner, Verona, Wall, Walsh, Weldner, Welsh, Wescott, Whittaker, Willard, Willaredt, Williams, A. D., Williams, E. S., Wilt, Wood, Worley, Wynd, Yetter, Zember, Zimmerman, Andrews, Speaker
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NAYS—0

NOT VOTING—19

Bonner, Bowman, Capitolo, Cauley, Cloff,	Cooley, Dengler, Down, Fineman, Foerster,	Jim, Kelly, Lawson, Long, Wm. Jas., Mihm,	Miller, Seltzer, Strausser, Wargo,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Mr. McCANN. Mr. Speaker, on page 16, I wish to bring to the chief clerk's attention that we desire to have House bill 1177, printer's No. 2503, listed in the non-preferred appropriation bills with the other bills.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1010, entitled:

An Act amending the "Pennsylvania Public Lands Act" approved July 9, 1959 (P. L. 510), further providing for vacant or unappropriated unimproved land and eliminating the approval of the Water and Resources Board in certain cases.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

Adams, Anderson, J. H., Anderson, S. A., Arlene, Ahton, Auker, Bachman, Backenstoe, Blair, Boles, Bossert, Bower, Branca, Breth, Buchanan, Bush, Capano, Capitolo,	Gibbons, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Gray, Greenlee, Gremminger, Gross, Guesman, Guthrie, Hamilton, Hankins, Hartley, Haudenshield, Heavey, Heffner, Helm,	Limper, Lippincott, Long, Wm. Jos., Lutty, Magee, Manbeck, Markley, Marsh, Maxwell, May, McCandless, McCann, McCormack, McDevitt, McDonald, McInroy, McKeever, McLaughlin,	Royer, Rubin, Rudisill, Rutherford, Sakulsky, Scarcell, Schaaf, Schuster, Shelton, Sherman, Shupnik, Simmons, Slack, Snare, Stank, Steckel, Stimmel, Stiteler,
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Clanfrani, Clarke, Comer, Crossin, Curwood, Davis, Donaldson, Dougherty, Doughten, Edwards, Ellberg, Elvey, Eshback, Eshleman, Esler, Ewing, Fetterolf, Filo, Fineman, Flynn, Foor, Fox, Frascella, Fry, Fulmer, Galley, Gallagher, Gelfand, George, Gibb,	Henzel, Hocker, Holl, Holliday, Holman, Horst, Irlis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kelser, Kelly, Kernaghan, Kessler, King, Kistler, Klein, Knecht, Kooker, Kornick, Korns, Kramer, Lamb, Lee, A. M., Lee, K. B., Leonard,	McNally, Meholchick, Merry, Mills, Monroe, Morley, Mullen, Munley, Murphy, Musto, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, Parlante, Pashley, Perry, Petrosky, Piper, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach, Riley, Rovanse,	Stone, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomascik, Tompkins, Trusio, Ujobai, Varner, Verona, Wall, Walsh, Weldner, Welsh, Wescott, Whittaker, Willard, Willaredt, Williams, A. D., Williams, E. S., Wilt, Wood, Worley, Wynd, Yetter, Zember, Zimmerman, Andrews, Speaker
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NAYS—3

Farabaugh,	Murray,	Renwick,
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NOT VOTING—16

Bonner, Bowman, Cauley, Cloff,	Cooley, Dengler, Dennison, Down,	Foerster, Lawson, Long, Wm. Jas., Mihm,	Miller, Seltzer, Strausser, Wargo,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection,

House bill No. 318, printer's No. 2519, was passed over at the request of Mr. A. W. JOHNSON.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 621, entitled:

An Act requiring a guard to be posted when a manhole is entered imposing powers and duties on the Department of Labor and Industry and authorizing said department to promulgate rules and regulations relating to manholes and providing penalties.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—128

Adams, Anderson, S. A., Arlene, Bachman, Boles, Bower, Branca, Breth, Buchanan, Bush, Capano, Capitolo,	Gallagher, Gelfand, Gibbons, Goldstein, J. H., Goldstein, M. H., Gray, Greenlee, Gremminger, Hamilton, Hankins, Hartley, Haudenshield,	Maxwell, May, McCandless, McCann, McCormack, McDevitt, McKeever, McLaughlin, McNally, Meholchick, Mills, Monroe,	Riley, Rovanse, Rubin, Rudisill, Rutherford, Sakulsky, Scarcell, Schaaf, Schuster, Shelton, Sherman, Shupnik,
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Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dennison, Dougherty, Edwards, Elberg, Eshleman, Ewing, Farabaugh, Filo, Fineman, Flynn, Frascella, Fry, Galley,	Heavey, Irviss, Isaacs, Jim, Johnson, A. W., Kamyk, Keiser, Kelly, Kessler, King, Klein, Kornick, Kramer, Lamb, Lawson, Leonard, Limper, Lutty, Manbeck, Marsh,	Morley, Mullen, Munley, Murphy, Musto, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Parlante, Pashley, Perry, Petrosky, Polaski, Polen, Prendergast, Pursley, Reibman, Reidenbach, Renwick,	Simmons, Snare, Stank, Stone, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomascik, Trusio, Varner, Verona, Walsh, Welsh, Whittaker, Willard, Williams, A. D., Worley, Yetter, Andrews, Speaker
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NAYS—63

Anderson, J. H. Ashton, Auker, Backenstoe, Blair, Bossert, Donaldson, Doughten, Elvey, Eshback, Esler, Fetterolf, Foor, Fox, Fulmer, Gibb,	Gramlich, Gross, Guesman, Guthrie, Helm, Henzel, Hocker, Holl, Holliday, Holman, Horst, Jenkins, Johnson, R. P., Jones, Kernaghan, Kistler,	Kooker, Korns, Lee, A. M., Lee, K. B., Lippincott, Long, Wm. Jos., Markley, McDonald, McInroy, Merry, Murray, Odorisio, Ogilvie, Piper, Price, Slack,	Steckel, Stimmel, Stiteler, Tompkins, Ujobai, Wall, Weidner, Wescott, Willaredt, Williams, E. S., Wilt, Wood, Wynd, Zember, Zimmerman,
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NOT VOTING—19

Bonner, Bowman, Cauley, Cooley, Dengler,	Down, Foerster, George, Goodrich, Heffner,	Knecht, Long, Wm. Jas., Magee, Mihm, Miller,	Royer, Seltzer, Strausser, Wargo,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1744, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), requiring certain vehicles and combinations of vehicles equipped with air brakes to be equipped with emergency brakes.

On the question,

Shall the bill pass finally?

BILL RECOMMMITTED

Mr. O'DELL. Mr. Speaker, I move that this bill be re-committed to the Committee on Motor Vehicles for the purpose of further study and possible amendment.

On the question,

Will the House agree to the motion?

The SPEAKER pro tempore. For what purpose does the gentleman from Allegheny, Mr. Lamb, rise?

Mr. LAMB. To speak on the motion, Mr. Speaker.

Mr. Speaker, I would ask the members of the House to vote "no" on this recommittal motion, and I ask for a roll call.

On the question recurring,
Will the House agree to the motion?

The yeas and nays were required by Messrs. LAMB and SCHUSTER and were as follows:

YEAS—110

Adams, Anderson, J. H., Anderson, S. A., Arlene, Ashton, Auker, Backenstoe, Blair, Bossert, Branca, Breth, Buchanan, Bush, Capano, Capitolo, Cioffi, Comer, Davis, Donaldson, Dougherty, Edwards, Elberg, Elvey, Eshback, Eshleman, Esler, Ewing, Fetterolf,	Fineman, Foor, Fox, Fry, Fulmer, Galley, Gelfand, Gibb, Gibbons, Goldstein, J. H., Goodrich, Gramlich, Gray, Greenlee, Gross, Guthrie, Hankins, Hartley, Heavey, Heffner, Henzel, Holliday, Holman, Horst, Isaacs, Johnson, R. P., Jones, Kelser,	Kernaghan, Kistler, Knecht, Kooker, Korns, Lee, A. M., Lee, K. B., Lippincott, Manbeck, Marsh, Maxwell, McCandless, McCann, McCormack, McDevitt, McDonald, McInroy, McKeever, Merry, Monroe, Morley, O'Dell, Odorisio, Ogilvie, Parlante, Pashley, Petrosky,	Piper, Polen, Rubin, Rutherford, Sakulsky, Scarcell, Shelton, Sherman, Slack, Snare, Steckel, Stimmel, Stiteler, Ujobai, Varner, Wall, Weidner, Wescott, Willard, Willaredt, Williams, E. S., Wilt, Wood, Worley, Wynd, Zember, Zimmerman,
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NAYS—77

Bachman Boles, Bower, Cianfrani, Clarke, Crossin, Curwood, Doughten, Farabaugh, Filo, Flynn, Frascella, Gallagher, Goldstein, M. H., Gremminger, Guesman, Hamilton, Haudenshield, Helm, Hocker,	Holl, Irviss, Jenkins, Jim, Johnson, A. W., Kamyk, Kelly, Kessler, King, Klein, Kramer, Lamb, Leonard, Limper, Long, Wm. Jos., Lutty, Markley, May, McLaughlin,	McNally, Meholchick, Munley, Murphy, Murray, Musto, Needham, O'Donnell, J. A., O'Donnell, J. P., Perry, Polaski, Prendergast, Price, Pursley, Reibman, Renwick, Riley, Rovasek, SchAAF,	Schuster, Shupnik, Simmons, Stank, Stone, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomascik, Tompkins, Trusio, Verona, Walsh, Welsh, Whittaker, Williams, A. D., Yetter, Andrews, Speaker
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NOT VOTING—23

Bonner, Bowman, Cauley, Cooley, Dengler, Dennison,	Down, Foerster, George, Kornick, Lawson, Long, Wm. Jas.,	Magee, Mihm, Miller, Mills, Mullen, Reidenbach,	Royer, Rudisill, Seltzer, Strausser, Wargo,
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So the question was determined in the affirmative and the motion was agreed to.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate bill No. 456, entitled:

An Act amending the act of May 15, 1933 (P. L. 624), entitled as amended "Banking Code" changing certain provisions with respect to the payment of interest on deposits.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—188

Adams,	Gibb,	Leonard,	Reidenbach,
Anderson, J. H.,	Gibbons,	Limper,	Renwick,
Anderson, S. A.,	Goldstein, J. H.,	Lippincott,	Riley,
Arlene,	Goldstein, M. H.,	Long, Wm. Jos.,	Rubin,
Ashton,	Goodrich,	Lutty,	Rudisill,
Auker,	Gramlich,	Magee,	Rovansek,
Bachman,	Gray,	Manbeck,	Rutherford,
Backenstoe,	Greenlee,	Markley,	Sakulsky,
Blair,	Gremminger,	Marsh,	Scarcelli,
Boles,	Gross,	Maxwell,	Schaaf,
Bossert,	Guesman,	May,	Shelton,
Branca,	Guthrie,	McCandless,	Simmons,
Breth,	Hamilton,	McCann,	Sherman,
Buchanan,	Hankins,	McCormack,	Shupnik,
Bush,	Hartley,	McDevitt,	Slack,
Capano,	Haudenshield,	McDonald,	Snare,
Capitolo,	Heavey,	McInroy,	Stank,
Cianfrani,	Hefner,	McKeever,	Steckel,
Cioffi,	Helm,	McLaughlin,	Stone,
Clarke,	Henzel,	McNally,	Sullivan, J. A.,
Comer,	Hooker,	Meholchick,	Sullivan, T. F.,
Crossin,	Holl,	Merry,	Taylor,
Curwood,	Holliday,	Mills,	Tomasclik,
Davis,	Holman,	Monroe,	Thompson,
Donaldson,	Horst,	Morley,	Tompkins,
Dougherty,	Irlis,	Mullen,	Trusio,
Doughten,	Isaacs,	Munley,	Ujober,
Edwards,	Jenkins,	Murphy,	Varnier,
Elberg,	Jim,	Murray,	Verona,
Elvey,	Johnson, A. W.,	Musto,	Wall,
Eshback,	Johnson, R. P.,	Needham,	Walsh,
Eshleman,	Jones,	O'Dell,	Weidner,
Esler,	Kamyk,	O'Donnell, J. A.,	Welsh,
Ewing,	Kelser,	O'Donnell, J. P.,	Wescott,
Farabaugh,	Kelly,	Odorisio,	Whittaker,
Fetterolf,	Kernaghan,	Ogilvie,	Willard,
Fineman,	Kessler,	Parlante,	Willaredt,
Flynn,	King,	Pashley,	Williams, A. D.,
Foor,	Kistler,	Perry,	Williams, E. S.,
Fox,	Klein,	Petrosky,	Wilt,
Frascella,	Kooker,	Piper,	Wood,
Fry,	Kornick,	Polaski,	Worley,
Fulmer,	Kramer,	Polen,	Wynd,
Galley,	Lamb,	Prendergast,	Yetter,
Gallagher,	Lawson,	Price,	Zember,
Gelfand,	Lee, A. M.,	Pursley,	Zimmerman,
George,	Lee, K. B.,	Reibman,	Andrews,

Speaker

NAYS—2

Korns, Stiteler,

NOT VOTING—30

Bonner,	Dengler,	Knecht,	Schuster,
Bower,	Dennison,	Long, Wm. Jas.,	Seltzer,
Bowman,	Down,	Mihm,	Stimmel,
Cauley,	Filo,	Miller,	Strausser,
Cooley,	Foerster,	Royer,	Wargo,

The majority required by the Constitution having voted in that affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

ANNOUNCEMENT

Mr. McCANN. Mr. Speaker, at this point we are going to take a break for lunch and for short caucuses to cover specific bills and then return here in order to adjourn as soon as possible. I will ask the Democratic membership, when I make the motion, to have lunch first and then come to the caucus and bring their House calendars with them. When I make the motion it will be for exactly one and one-half hours, which means from 12 o'clock through to 1:30.

REPUBLICAN CAUCUS

Mr. A. W. JOHNSON. Mr. Speaker, I thought maybe we could do the job in one hour, but Mr. McCann says,

"No, it will take 45 minutes for lunch." I believe that on the Republican side we will go to caucus immediately and try to clean the calendar up as fast as we can and then we will go to lunch. There really is not too much for us to caucus on on this calendar. So, I would like to ask the Republican members to proceed immediately to the caucus room.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 300.

An Act amending the "Dog Law of 1921" approved May 11, 1921 (P. L. 522), requiring informations to be brought before the nearest available magistrate or justice of the peace.

HOUSE BILL No. 761.

An Act making an appropriation to the Department of Commerce for payments of grants to local agencies for tourist promotional assistance.

HOUSE BILL No. 769.

An Act making an appropriation to the Department of Military Affairs for the payment of services of the Civil Air Patrol.

HOUSE BILL No. 799.

An Act making an appropriation to the Department of Public Welfare for payment of grants to political subdivisions for services for the aging and making an additional appropriation of moneys received for such purposes.

HOUSE BILL No. 805.

An Act making an appropriation for the maintenance repair and improvement of the Port of Philadelphia.

HOUSE BILL No. 806.

An Act making an appropriation to the City of Harrisburg Pennsylvania.

HOUSE BILL No. 1193.

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for certain capital improvements in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

HOUSE BILL No. 1194.

An Act making an appropriation to the Department of Military Affairs for certain capital improvements in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

HOUSE BILL No. 1195.

An Act making an appropriation to the Department of Health for certain capital improvements in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

HOUSE BILL No. 1196.

An Act making appropriations to the Department of Public Welfare for certain capital improvements in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

HOUSE BILL No. 1197.

An Act making an appropriation to the Department of Justice for certain capital improvements in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

HOUSE BILL No. 1199.

An Act making appropriations to the Department of Forests and Waters for certain capital improvements in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

HOUSE BILL No. 1232.

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), requiring the notice of conviction for violations in other states to contain a certified record of the conviction and requiring the same to be made available.

HOUSE BILL No. 1234.

An Act amending "The Pennsylvania Workmen's Compensation Act" approved June 2, 1915 (P. L. 736), increasing liability for burial costs.

HOUSE BILL No. 1307.

An Act amending the "Chiropractic Act of 1956" approved March 2, 1956 (P. L. 1206), providing for biennial renewal of registration changing fees and requiring attendance at biennial educational conferences as a condition of renewal of registration.

HOUSE BILL No. 1403.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey .78 acres more or less of land situate in the Borough of East Stroudsburg Monroe County.

HOUSE BILL No. 1440.

An Act amending "The Pennsylvania Workmen's Compensation Act" approved June 2, 1915 (P. L. 736), requiring employers to furnish replacements for artificial limbs and eyes and to furnish additional medical care in connection therewith.

HOUSE BILL No. 1476.

An Act amending the "State Public School Building Authority Act" approved July 5, 1947 (P. L. 1217), authorizing the Authority to convey projects to school districts when all bonded indebtedness and other obligations incurred in the financing of such projects have been finally paid and discharged.

HOUSE BILL No. 1630.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), providing a further limitation on the taxing authority of school districts lying in more than one county.

HOUSE BILL No. 1794.

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), making a correction for a typographical error.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 610.

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code" further providing for change in classification of counties upon change in population.

Referred to the Committee on Counties.

SENATE BILL No. 637.

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" authorizing the reservation of funds for out-of-state travel expenses.

Referred to the Committee on Education.

SENATE BILL No. 851.

An Act amending the act of May 5, 1933 (P. L. 457), entitled "Building and Loan Code" authorizing the payment of bonus dividends to any class or classes of stock.

Referred to the Committee on Banking and Building and Loan Associations.

SENATE BILL No. 860.

An Act amending the act of May 15, 1933 (P. L. 624), entitled as amended "Banking Code" further providing for authorized investments and limitations on loans.

Referred to the Committee on Banking and Building and Loan Associations.

SENATE MESSAGES

The clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Amended House bills returned for concurrence Nos. 1666 and 1667.

Amended Senate bill recalled from the Governor returned for concurrence No. 114.

RESOLUTION

CONGRATULATIONS

Messrs. R. P. JOHNSON, HOLL, FETTEROLF, WIL-LAREDT and Mrs. HENZEL offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and unanimously adopted as follows:

In the House of Representatives, July 26, 1961.

We take much pride in congratulating Justice John C. Bell on his coming elevation to the high office of Chief Justice of the Pennsylvania Supreme Court. This is an office which Justice Bell is eminently qualified to fill both by background and judicial temperament. He was elected to his present office in 1950.

We take this method of congratulating Justice Bell upon his succession to the high office of Chief Justice.

Justice John C. Bell is the scion of a prominent Philadelphia family. He is a brother of the late "Bert" Bell, Commissioner of the National Football League. His home is in Wynnewood, Montgomery County; therefore be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania, hereby congratulate Justice Bell on his coming elevation to the high office of Chief Justice of our Supreme Court and also commend him for his past judicial services to this State and its people; and be it further

Resolved, That a copy of this resolution be forwarded to his home in Wynnewood, Montgomery County, Pennsylvania.

REPORT FROM COMMITTEE

Mr. KAMYK from the Committee on Cities—Counties Second Class and Second Class A, reported as committed, Senate bill No. 780, entitled:

An Act amending the act of May 16, 1919 (P. L. 193), entitled "An act to provide for the licensing and regulation of public dance halls and ball rooms . . ." increasing license fees in cities of the second class and changing penalties.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 780, entitled:

An Act amending the act of May 16, 1919 (P. L. 193), entitled "An act to provide for the licensing and regulation of public dance halls and ball rooms . . ." increasing license fees in cities of the second class and changing penalties.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

TIME EXTENDED ON BILLS

Mr. McCANN asked and obtained unanimous consent to extend the time five days on House bill No. 1448, printer's No. 1756, on page 7 of today's calendar, bills on final passage postponed.

Mr. McCANN asked and obtained unanimous consent to extend the time five days on House bill No. 1555, printer's No. 2173, on page 8 of today's calendar, bills on final passage postponed.

Mr. McCANN asked and obtained unanimous consent to extend the time five days on House bill No. 1790, printer's No. 2362, on page 8 of today's calendar, bills on final passage postponed.

RECESS

The SPEAKER pro tempore. Without objection, the Chair will declare a recess of one hour and thirty minutes. The Chair hears none, and a recess is declared.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1340, entitled:

An Act amending the act of July 11, 1917 (P. L. 758), entitled "An act for the protection of the public health by regulating the possession control dealing in giving away delivery dispensing administering prescribing and use of certain drugs * * * and by providing for the enforcement of this act and penalties" giving trials for violation of the act precedence over all other criminal trials and regulating postponements.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—173

Adams,	Gallagher,	Lee, A. M.,	Reibman,
Anderson, J. H.	George,	Lee, K. B.,	Renwick,
Anderson, S. A.,	Gibb,	Leonard,	Riley,
Arlene,	Gibbons,	Limper,	Rovansek,
Ashton,	Goldstein, M. H.,	Long, Wm. Jos.,	Rudisill,
Auker,	Goodrich,	Magee,	Rutherford,
Bachman	Gramlich,	Manbeck,	Sakulsky,
Backenstoe,	Gray,	Markley,	Scarcell,
Blair,	Greenlee,	Marsh,	Schaaf,
Boles,	Gremminger,	May,	Schuster,
Bonner,	Gross,	Maxwell,	Shelton,
Bossert,	Guesman,	McCandless,	Shupnik,
Bower,	Guthrie,	McCann,	Simmons,
Branca,	Hamilton,	McDevitt,	Slack,
Breth,	Hankins,	McDonald	Snare,
Buchanan,	Hartley,	McInroy,	Stank,
Bush,	Haudenshield,	McKeever,	Steckel,
Capano,	Heavey,	McLaughlin,	Stimmel,
Capitolo,	Heffner,	McNally,	Stiteler,
Cianfrani,	Helm,	Meholchick,	Stone,
Cioffi,	Henzel,	Merry,	Sullivan, J. A.,
Clarke,	Hocker,	Mills,	Sullivan, T. F.,
Comer,	Holl,	Monroe,	Taylor,
Crossin,	Holliday,	Morley,	Thompson,
Curwood,	Horst,	Munley,	Tomasclik,
Davis,	Irvis,	Murphy,	Ujobal,
Donaldson,	Jenkins,	Murray,	Varnier,
Dougherty,	Jim,	Musto,	Verona,
Doughten,	Johnson, R. P.,	Needham,	Wall,
Edwards,	Jones,	O'Dell,	Walsh,
Ellberg,	Kamyk,	O'Donnell, J. A.,	Weidner,
Elvey,	Keiser,	O'Donnell, J. P.,	Welsh,
Eshback,	Kelly,	Ogilvie,	Wescott,
Eshleman,	Kessler,	Parlante,	Whittaker,
Esler,	King,	Pashley,	Willard,
Ewing,	Kistler,	Perry,	Willaredt,
Farabaugh,	Klein,	Petrosky,	Williams, A. D.,
Filo,	Knecht,	Piper,	Williams, E. S.,
Flynn,	Kooker,	Polaski,	Wilt,
Foor,	Kornick,	Polen,	Wood,
Fox,	Korns,	Prendergast,	Wynd,
Fracella,	Kramer,	Price,	Yetter,
Fry,	Lamb,	Pursley,	Andrews,
Fulmer,			Speaker

NAYS—18

Fetterolf,	Holman,	McCormack,	Tompkins,
Fineman,	Isaacs,	Mullen,	Worley,
Galley,	Johnson, A. W.,	Odorisio,	Zember,
Gelfand,	Kernaghan,	Sherman,	Zimmerman,
Goldstein, J. H.,	Lippincott,		

NOT VOTING—19

Bowman,	Down,	Mihm,	Seltzer,
Cauley,	Foerster,	Miller,	Strausser,
Cooley,	Lawson,	Reidenbach,	Trusio,
Dengler,	Long, Wm. Jas.,	Royer,	Wargo,
Dennison,	Lutty,	Rubin,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate bill No. 106, entitled:

An Act amending the act of August 5, 1941 (P. L. 803), entitled as amended "An act providing for the creation maintenance and operation of a county employes' retirement system in counties of the fifth sixth seventh and eighth class . . ." requiring the creation of a county retirement system in counties of the fifth and sixth class.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—165

Adams,	Goldstein, M. H.,	Long, Wm. Jos.,	Reibman,
Anderson, S. A.,	Goodrich,	Lutty,	Riley,
Arlene,	Gramlich,	Magee,	Rovansek,
Bachman,	Greenlee,	Manbeck,	Rubin,
Backenstoe,	Gremminger,	Markley,	Rudisill,
Blair,	Guesman,	Marsh,	Sakulsky,
Boles,	Guthrie,	Maxwell,	Scarcell,
Bonner,	Hamilton,	May,	Schaaf,
Bower,	Hankins,	McCandless,	Schuster,
Branca,	Hartley,	McCann,	Shelton,
Breth,	Haudenshield,	McCormack,	Sherman,
Buchanan,	Heavy,	McDevitt,	Shupnik,
Bush,	Heffner,	McDonald,	Simmons,
Capano,	Helm,	McInroy,	Slack,
Capitolo,	Henzel,	McKeever,	Snare,
Cianfrani,	Holl,	McLaughlin,	Stank,
Cioffi,	Holman,	McNally,	Steckel,
Clarke,	Irvis,	Meholchick,	Stimmel,
Comer,	Isaacs,	Merry,	Stone,
Crossin,	Jenkins,	Mills,	Sullivan, J. A.,
Curwood,	Jim,	Monroe,	Sullivan, T. F.,
Donaldson,	Johnson, A. W.,	Morley,	Taylor,
Doughten,	Johnson, R. P.,	Mullen,	Thompson,
Edwards,	Jones,	Munley,	Tomasclik,
Eilberg,	Kamyk,	Murphy,	Truslo,
Eshback,	Kaiser,	Murray,	Ujobal,
Esler,	Kelly,	Musto,	Verner,
Ewing,	Kernaghan,	Needham,	Verona,
Farabaugh,	Kessler,	O'Dell,	Wall,
Fetterolf,	King,	O'Donnell, J. A.,	Walsh,
Filo,	Kistler,	O'Donnell, J. P.,	Weidner,
Fineman,	Klein,	Parlante,	Welsh,
Flynn,	Knecht,	Pashley,	Wescott,
Fox,	Kooker,	Perry,	Whittaker,
Frascella,	Kornick,	Petrosky,	Willardt,
Fulmer,	Kramer,	Piper,	Williams, A. D.,
Galley,	Lamb,	Polaski,	Williams, E. S.,
Gallagher,	Lee, A. M.,	Polen,	Wynd,
Gelfand,	Lee, K. B.,	Prendergast,	Yetter,
George,	Leonard,	Price,	Zember,
Gibb,	Lamper,	Pursley,	Andrews,
Goldstein, J. H.,			Speaker

NAYS—24

Anderson, J. H.,	Eshleman,	Korns,	Stiteler,
Ashton,	Foor,	Lippincott,	Tompkins,
Auker,	Gibbons,	Odoristo,	Willard,
Bossert,	Gross,	Ogilvie,	Wilt,
Davis,	Hocker,	Renwick,	Wood,
Elvey,	Holliday,	Rutherford,	Worley,

NOT VOTING—21

Bowman,	Down,	Lawson,	Royer,
Cauley,	Forester,	Long, Wm. Jas.,	Seltzer,
Cooley,	Fry,	Mihm,	Strausser,
Dengler,	Gray,	Miller,	Wargo,
Dennison,	Horst,	Reldernbach,	Zimmerman,
Dougherty,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. PARLANTE asked and obtained permission for the Committee on Banking and Building and Loan Associations to meet during the session of the House.

REPORTS FROM COMMITTEES

Mr. NEEDHAM from the Committee on Cities—Counties Second and Second Class A, reported as committed, House bill No. 1821, entitled:

An Act amending "The Permanent Registration Act for Cities of the Second Class, Cities of the Second Class

A, Cities of the Third Class, Boroughs, Towns and Townships," approved April 29, 1937 (P. L. 487), further regulating the days and hours of registration, the days for receiving removal notices and transferring registration, the days for changing enrollment of political party, the days to make a check-up of registers, the days to compare and correct the general and district registers, the days for preparing street lists and the arrangement and distribution of street lists.

Mr. GRAMLICH from the Committee on Banking and Building and Loan Associations, reported as committed, Senate bill No. 511, entitled:

An Act amending the act of May 15, 1933 (P. L. 624), entitled as amended "Banking Code" permitting savings banks to service mortgages.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1821, entitled:

An Act amending "The Permanent Registration Act for Cities of the Second Class, Cities of the Second Class A, Cities of the Third Class, Boroughs, Towns and Townships," approved April 29, 1937 (P. L. 487), further regulating the days and hours of registration, the days for receiving removal notices and transferring registration, the days for changing enrollment of political party, the days to make a check-up of registers, the days to compare and correct the general and district registers, the days for preparing street lists and the arrangement and distribution of street lists.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 511, entitled:

An Act amending the act of May 15, 1933 (P. L. 624), entitled as amended "Banking Code" permitting savings banks to service mortgages.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

BILLS ON FINAL PASSAGE POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on final passage of House bill No. 1248, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), changing the provisions relating to leaves for certain State employes.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—161

Anderson, S. A.,	Gallagher,	Long, Wm. Jos.,	Renwick,
Arlene,	Gelfand,	Lutty,	Riley,
Bachman,	George,	Magee,	Rovansek,
Backenstoe,	Gibb,	Manbeck,	Rubin,
Blair,	Goldstein, J. H.,	Markley,	Rudisill,
Boles,	Goldstein, M. H.,	Marsh,	Sakulsky,
Bonner,	Goodrich,	Maxwell,	Scarcell,
Bower,	Gramlich,	May,	Schaaf,
Branca,	Gray,	McCandless,	Schuster,
Breth,	Greenlee,	McCann,	Shelton,
Buchanan,	Gremminger,	McCormack,	Sherman,

Capano, Capitolo, Cianfrani, Cioffi, Clarks, Comer, Crossin, Curwood, Davis, Dennison, Donaldson, Dougherty, Doughten, Edwards, Ellberg, Elvey, Esler, Eshback, Eshleman, Ewing, Farabaugh, Filo, Fineman, Flynn, Foor, Fox, Frascella, Fry, Fulmer, Galley,	Guesman, Guthrie, Hamilton, Hankins, Hartley, Haudenshield, Heavey, Heffner, Helm, Holman, Horst, Irvie, Jenkins, Jim, Johnson, A. W., Kamyk, Kelser, Kelly, Kessler, King, Kistler, Klein, Knecht, Kooker, Kornick, Kramer, Lee, A. M., Leonard, Limper,	McDevitt, McDonald, McInroy, McKeever, McLaughlin, McNally, Meholchick, Merry, Mills, Monroe, Morley, Munley, Murphy, Murray, Musto, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Parlante, Pashley, Perry, Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman,	Shupnik, Simmons, Slack, Snare, Stank, Steckel, Stimmel, Stone, Sullivan, J. A., Sullivan, T. F., Taylor, Thompson, Tomasick, Trusio, Ujobai, Varner, Verona, Wall, Walsh, Weidner, Welsh, Wescott, Williams, E. S., Wilt, Wood, Wynd, Yetter, Zimmerman, Andrews, Speaker
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NAYS—31

Adams, Anderson, J. H., Ashton, Auker, Bossert, Bush, Fetterolf, Gibbons,	Gross, Henzel, Hocker, Holl, Holliday, Isaacs, Johnson, R. P., Kernaghan,	Korns, Lee, K. B., Lippincott, Odorisio, Ogilvie, Piper, Rutherford, Stiteler,	Tompkins, Whittaker, Willard, Willaredt, Williams, A. D., Worley, Zember,
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NOT VOTING—18

Bowman, Cauley, Cooley, Dengler, Down,	Forester, Jones, Lamb, Lawson, Long, Wm. Jas.,	Mihm, Miller, Mullen, Reidenbach, Wargo,	Royer, Seltzer, Strausser, Wargo,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on final passage of Senate bill No. 583, entitled:

An Act amending the act of May 27, 1949 (P. L. 190), entitled "The Military Code of 1949" removing the exemption of certain persons from jury duty.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—155

Anderson, J. H., Anderson, S. A., Arlene, Ashton, Auker, Bachman, Backenstoe, Boles, Bonner, Bossert, Bower, Branca, Breth,	Goodrich, Gramlich, Gray, Greenlee, Gremminger, Gross, Guesman, Hamilton, Hankins, Hartley, Haudenshield, Heffner, Heim,	Limper, Lippincott, Long, Wm. Jos., Lutty, Magee, Manbeck, Maxwell, McCandless, McCann, McCormack, McDevitt, McDonald, McInroy,	Rovansek, Rubin, Sakulsky, SchAAF, Schuster, Shelton, Sherman, Shupnik, Simmons, Slack, Snare, Stank, Steckel,
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Bush, Capano, Cianfrani, Cioffi, Comer, Crossin, Curwood, Dougherty, Doughten, Ellberg, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Flynn, Foor, Fox, Fulmer, Galley, Gelfand, George, Gibbons, Goldstein, J. H., Goldstein, M. H.,	Henzel, Hocker, Holl, Holliday, Holman, Horst, Irvie, Jenkins, Jim, Johnson, A. W., Johnson, R. P., Jones, Kamyk, Kelser, Kelly, Kernaghan, Kessler, King, Kistler, Klein, Knecht, Kornick, Kramer, Lamb, Lee, K. B., Leonard,	McKeever, McLaughlin, McNally, Meholchick, Mills, Monroe, Morley, Munley, Murphy, Murray, Musto, Needham, O'Dell, O'Donnell, J. A., Parlante, Pashley, Perry, Petrosky, Piper, Polaski, Polen, Prendergast, Pursley, Reibman, Renwick, Riley,	Stimmel, Stone, Sullivan, J. A., Sullivan, T. F., Taylor, Tomasick, Tompkins, Trusio, Ujobai, Varner, Verona, Wall, Walsh, Welsh, Wescott, Whittaker, Whittaker, Williams, A. D., Williams, E. S., Wood, Wynd, Yetter, Zember, Zimmerman, Andrews, Speaker
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NAYS—33

Adams, Blair, Buchanan, Clarke, Davis, Donaldson, Edwards, Elvey, Esler,	Foor, Frascella, Gallagher, Gibb, Guthrie, Isaacs, Kooker, Korns,	Marsh, May, Merry, O'Donnell, J. P., Odorisio, Ogilvie, Price, Rudisill,	Rutherford, Scarcelli, Stiteler, Thompson, Weidner, Willard, Wilt, Worley,
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NOT VOTING—22

Bowman, Capitolo, Cauley, Cooley, Dengler, Dennison,	Down, Foerster, Fry, Heavey, Lawson, Lee, A. M.,	Long, Wm. Jas., Markley, Mihm, Miller, Mullen,	Reidenbach, Royer, Seltzer, Strausser, Wargo,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1339, entitled:

An Act amending the act of July 11, 1917 (P. L. 758), entitled "An act for the protection of public health by regulating the possession control dealing in giving away delivery * * * and use of certain drugs and keeping records thereof * * *" changing penalties for illegal sale dispensing or giving away of drugs.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—188

Adams, Anderson, J. H., Anderson, S. A., Arlene, Ashton, Auker, Bachman,	George, Gibb, Gibbons, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich,	Leonard, Limper, Lippincott, Long, Wm. Jos., Lutty, Magee, Manbeck,	Riley, Rovansek, Rubin, Rudisill, Rutherford, Sakulsky, Scarcelli,
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Backenstoe,	Gray,	Markley,	Schaaf,
Blair,	Greenlee,	Marsh,	Schuster,
Boles,	Gremminger,	Maxwell,	Shelton,
Bonner,	Gross,	May,	Sherman,
Bossert,	Guesman,	McCandless,	Shupnik,
Bower,	Guthrie,	McCamn,	Simmons,
Breth,	Hamilton,	McDevitt,	Slack,
Buchanan,	Hankins,	McDonald,	Snare,
Bush,	Hartley,	McInroy,	Stank,
Capano,	Haudenshield,	McKeever,	Steckel,
Capitolo,	Heavey,	McLaughlin,	Stimmel,
Cianfrani,	Heffner,	McNally,	Stiteler,
Cioffi,	Helm,	Meholchick,	Stone,
Clarke,	Henzel,	Merry,	Sullivan, J. A.,
Comer,	Hocker,	Mills,	Sullivan, T. F.,
Crossin,	Holl,	Monroe,	Taylor,
Curwood,	Holliday,	Morley,	Thompson,
Davis,	Holman,	Mullen,	Tomascik,
Donaldson,	Horst,	Munley,	Trusio,
Dougherty,	Irvis,	Murphy,	Ujobal,
Doughten,	Isaacs,	Murray,	Varner,
Edwards,	Jenkins,	Musto,	Verona,
Ellberg,	Jim,	Needham,	Wall,
Elvey,	Johnson, R. P.,	O'Dell,	Walsh,
Eshback,	Jones,	O'Donnell, J. A.,	Waldner,
Eshleman,	Kamyk,	O'Donnell, J. P.,	Walsh,
Esler,	Kelser,	Odoriso,	Wescott,
Evling,	Kelly,	Ogilvie,	Whittaker,
Farabaugh,	Kernaghan,	Parlante,	Willard,
Fetterolf,	Kessler,	Pashley,	Willaredt,
Filo,	King,	Perry,	Williams, A. D.,
Fineman,	Kistler,	Petrosky,	Williams, E. S.,
Flynn,	Klein,	Piper,	Wilt,
Foor,	Knecht,	Polaski,	Wood,
Fox,	Kooker,	Polen,	Worley,
Frascella,	Kornick,	Prendergast,	Wynd,
Fry,	Korns,	Price,	Yetter,
Fulmer,	Kramer,	Pursley,	Zember,
Gallagher,	Lamb,	Reibman,	Zimmerman,
Gelfand,	Lee, K. B.,	Renwick,	Andrews,

Speaker

NAYS—4

Galley, Johnson, A. W., McCormack, Tompkins,

NOT VOTING—18

Bowman,	Dennison,	Long, Wm. Jas.,	Royer,
Branca,	Down,	Mihm,	Seltzer,
Caulley,	Forester,	Miller,	Strausser,
Cooley,	Lawson,	Reidenbach,	Wargo,
Dengler,	Lee, A. M.,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 52, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania repealing section sixteen thereof which authorized the borrowing funds for the acquisition of toll bridges.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER. The Chair recognizes the minority leader.

Mr. A. W. JOHNSON. Mr. Speaker, this resolution is for the purpose of repealing section 16 of our State constitution which presently authorizes the borrowing of funds for the acquisition of toll bridges. I realize it is an unnecessary segment of our State constitution today, but it is really doing no harm in our constitution and

it will cost a great deal of money for the people of this Commonwealth to vote on this matter. I think the reason for throwing it out is just for the purpose of pointing out the fact that we probably have some need for changing the constitution in quite a number of particulars which can be done through the amendment method.

It seems as though this is a frivolous matter and a colossal waste of the taxpayers' money. Until we get a ground swell of enthusiasm in the State to revise our State constitution, I think it is very foolish of us to pass this amendment and submit a ridiculous thing like this to the people for a vote.

I am asking everybody to vote against this proposition.

The SPEAKER. The Chair recognizes the majority leader.

Mr. McCANN. Mr. Speaker, I believe the gentleman from McKean has outlined the case of why we should vote for the resolution.

As he indicated very clearly, Senate bill 52 deals with a section in the constitution which authorizes the borrowing of funds for the toll bridges. He is well aware, and so are the members of this House, that this Commonwealth does not borrow in that manner under the constitution for the toll bridges of Pennsylvania or for their construction. I believe it was under their leadership that the State Highway and Bridge Authority was created, which also handles the bridges.

For that very reason I believe the membership of this House should vote "aye" to repeal this section of the constitution which is not used today. I ask every member to vote "aye" on Senate bill 52, printer's No. 53.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—98

Anderson, S. A.,	Gallagher,	McDevitt,	Reibman,
Arlene,	Gelfand,	McDonald,	Renwick,
Bachman,	Gray,	McKeever,	Riley,
Boles,	Greenlee,	McLaughlin,	Rovansek,
Bonner,	Gremminger,	McNally,	Rubin,
Branca,	Guesman,	Meholchick,	Rudisill,
Breth,	Hankins,	Mills,	Sakulsky,
Capano,	Hartley,	Monroe,	Schaaf,
Capitolo,	Heavey,	Morley,	Schuster,
Cianfrani,	Irvis,	Mullen,	Shelton,
Cioffi,	Jenkins,	Munley,	Sherman,
Clarke,	Jim,	Murphy,	Shupnik,
Crossin,	Jones,	Murray,	Stank,
Curwood,	Kamyk,	Musto,	Sullivan, J. A.,
Dennison,	Kelly,	Needham,	Sullivan, T. F.,
Dougherty,	Kornick,	O'Donnell, J. A.,	Taylor,
Doughten,	Kramer,	O'Donnell, J. P.,	Tomascik,
Ellberg,	Lamb,	Parlante,	Trusio,
Farabaugh,	Leonard,	Pashley,	Varner,
Filo,	Limper,	Perry,	Verona,
Fineman,	Long, Wm. Jos.,	Petrosky,	Walsh,
Flynn,	Lutty,	Polaski,	Walsh,
Frascella,	Maxwell,	Polen,	Yetter,
Fry,	McCann,	Prendergast,	Andrews,
Galley,	McCormack,		

Speaker

NAYS—91

Adams,	Gibbons,	Kistler,	Slack,
Anderson, J. H.,	Goldstein, J. H.,	Knecht,	Snare,
Ashton,	Goldstein, M. H.,	Kooker,	Steckel,
Auker,	Goodrich,	Korns,	Stimmel,
Backenstoe,	Gramlich,	Lee, A. M.,	Stiteler,
Boles,	Gross,	Lee, K. B.,	Thompson,
Bossert,	Guthrie,	Lippincott,	Tompkins,
Bower,	Haudenshield,	Manbeck,	Ujobal,
Buchanan,	Heffner,	Markley,	Wall,
Bush,	Helm,	Marsh,	Weldner,

Davis,	Henzel,	May,	Wescott,
Donaldson,	Hocker,	McCandless,	Whittaker,
Edwards,	Holl,	McInroy,	Willard,
Elvey,	Holliday,	Merry,	Willaredt,
Eshback,	Holman,	O'Dell,	Williams, A. D.,
Eshleman,	Horst,	Odoristo,	Williams, E. S.,
Esler,	Isaacs,	Ogilvie,	Wilt,
Ewing,	Johnson, A. W.,	Piper,	Wood,
Fetterolf,	Johnson, R. P.,	Price,	Worley,
Foor,	Keiser,	Pursley,	Wynd,
Fox,	Kernaghan,	Royer,	Zember,
Fulmer,	Kessler,	Rutherford,	Zimmerman,
Gibb,	King,	Simmons,	

NOT VOTING—21

Bowman,	Forester,	Long, Wm. Jas.,	Scarcelli,
Cauley,	George,	Magee,	Seltzer,
Comer,	Hamilton,	Mihm,	Stone,
Cooley,	Klein,	Miller,	Strausser,
Dengler,	Lawson,	Reidenbach,	Wargo,
Down,			

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 605, entitled:

An Act amending the act of January 29, 1844 (P. L. 25), entitled "An act supplementary to an act to incorporate the president and directors of the water pipes in Aaronsburg" permitting additional persons to vote for the directors further providing who shall be taxed increasing one tax providing for flat rates and tap on charges and repealing inconsistent legislation.

On the question,

Will the House agree to the bill on third reading?

Mr. McCANN asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the clerk for information.

Amend Title, page 1, next to last line of Title, by inserting after "charges" requiring approval of rates by the Public Utility Commission

Amend Sec. 1, page 2, line 7, by inserting a bracket before "town" and after "Aaronsburg" and inserting immediately thereafter township of Haines

Amend Sec. 1 (Sec. 1), page 2, line 8, by striking out "and such other persons"

Amend Sec. 1 (Sec. 1), page 2, line 8, by inserting a bracket before "who"

Amend Sec. 1 (Sec. 1), page 2, line 8, by striking out the bracket before "freeholders"

Amend Sec. 1 (Sec. 1), page 2, line 9, by inserting after "suffragel" who have attained the age of twenty-one years and such other persons

Amend Sec. 1 (Sec. 1), page 2, line 11, by inserting brackets before and after "town" and inserting immediately thereafter township

Amend Sec. 1 (Sec. 1), page 2, line 13 by inserting brackets before and after "town" and inserting immediately thereafter township

Amend Sec. 1 (Sec. 1), page 2, line 20, by inserting brackets before and after "town" and inserting immediately thereafter township

Amend Sec. 1, (Sec. 1), page 3, line 11, by inserting brackets before and after "town" and inserting immediately thereafter township

Amend Sec. 1 (Sec. 1), page 4, line 3, by inserting after "Commonwealth" including regulations of the Pennsylvania Public Utility Commission

Amend Sec. 1 (Sec. 1), page 4, line 10, by inserting brackets before and after "town" and inserting immediately thereafter township

Amend Sec. 1 (Sec. 1), page 4, line 16, by inserting after

"aforesaid" including government representatives of the Commonwealth of Pennsylvania

Amend Sec. 1 (Sec. 3), page 5, line 2, by striking out "]" inhabitant in said town [the]" and inserting inhabitant] water consumer customer of the corporation in said [town the] township

Amend Sec. 1 (Sec. 3), page 5, line 8, by inserting brackets before and after "town" and inserting immediately thereafter township

Amend Sec. 1 (Sec. 3), page 5, line 16, by striking out "consumers who are not inhabitants" and inserting corporations, partnerships, associations, and other entities who are consumers within the township

Amend Sec. 1 (Sec. 3), page 6, line 2, by inserting after "consumers" provided, however, that no rate or charge herein provided shall be charged or collected until the proposed rate or charge has been first presented to and approved by the Public Utility Commission of the Commonwealth of Pennsylvania.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 751, entitled:

An Act amending the act of April 18, 1929 (P. L. 612), entitled "An act for the election of the president members of town council and auditors in incorporated towns of the Commonwealth . . ." redesignating the president of the town council as the mayor.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—181

Anderson, J. H.,	Gibbons,	Limper,	Rubin,
Anderson, S. A.,	Goldstein, J. H.,	Lippincott,	Rudisill,
Arlene,	Goldstein, M. H.,	Long, Wm. Jos.,	Rutherford,
Ashton,	Goodrich,	Lutty,	Sakulsky,
Auker,	Gramlich,	Magee,	Scarcelli,
Bachman,	Greenlee,	Manbeck,	Schaaf,
Backenstoe,	Gremminger,	Markley,	Schuster,
Blair,	Gross,	Marsh,	Shelton,
Boles,	Guesman,	Maxwell,	Sherman,
Bonner,	Guthrie,	May,	Shupnik,
Bossert,	Hamilton,	McCandless,	Simmons,
Bower,	Hankins,	McCann,	Slack,
Branca,	Hartley,	McCormack,	Snare,
Breth,	Haudenschild,	McDevitt,	Stank,
Buchanan,	Heavey,	McDonald,	Steckel,
Bush,	Heffner,	McInroy,	Stimmel,
Capano,	Helm,	McKeever,	Stone,
Capitolo,	Henzel,	McLaughlin,	Sullivan, J. A.,
Cianfrani,	Holl,	Meholchick,	Sullivan, T. F.,
Cioffi,	Holliday,	Merry,	Taylor,
Clarke,	Holman,	Mills,	Thompson,
Comer,	Horst,	Monroe,	Tomasck,
Crossin,	Irvls,	Morley,	Tompkins,
Curwood,	Isaacs,	Mullen,	Truslo,
Davis,	Jenkins,	Munley,	Ujbal,
Donaldson,	Jim,	Murphy,	Varnar,
Dougherty,	Johnson, A. W.,	Murray,	Verona,
Doughten,	Johnson, R. P.,	Musto,	Wall,
Edwards,	Jones,	Needham,	Walsh,

Ellberg,	Kamyk,	O'Dell,	Weidner,
Elvey,	Keiser,	O'Donnell, J. A.,	Welsh,
Eshback,	Kelly,	O'Donnell, J. P.,	Wescott,
Eshleman,	Kernaghan,	Odoristo,	Whittaker,
Ewing,	Kessler,	Parlaate,	Willard,
Fetterolf,	King,	Pashley,	Willaredt,
Filo,	Kistler,	Perry,	Williams, A. D.,
Fineman,	Klein,	Petrosky,	Williams, E. S.,
Foor,	Knecht,	Polaski,	Wilt,
Fox,	Kooker,	Polen,	Wood,
Frascella,	Kornick,	Prendergast,	Worley,
Fry,	Kramer,	Price,	Wynd,
Fulmer,	Lamb,	Pursley,	Yetter,
Gallagher,	Lee, A. M.,	Reibman,	Zember,
Gelfand,	Lee, K. B.,	Riley,	Zimmerman,
George,	Leonard,	Royer,	Andrews,
Gibb,			Speaker

NAYS—12

Adams,	Galley,	McNally,	Renwick,
Farabaugh,	Hocker,	Ogilvie,	Rovansek,
Flynn,	Korns,	Piper,	Stiteler,

NOT VOTING—17

Bowman,	Down,	Lawson,	Reldenbach,
Cauley,	Esler,	Long, Wm. Jas.,	Seltzer,
Cooley,	Forester,	Mihm,	Strausser,
Dengler,	Gray,	Miller,	Wargo,
Dennison,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1098.

An Act amending the act of May 17, 1921 (P. L. 789), entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" extending the provisions requiring the licensing of agents to include domestic mutual fire insurance companies and prescribing penalties.

With the information that the Senate had passed the same with amendments in which the concurrence of the House of Representatives is requested.

The SPEAKER. The clerk will read the amendments.

The clerk read the amendments as follows:

Amend Section 1, page 2, line 4, by striking out after the word "Licenses" the letter "(A)" and inserting in lieu thereof the letter "(A)"; page 5, by striking out after line 5, the following:

(b) Nothing in subsection (a) of this section shall be construed as requiring agents of domestic mutual fire insurance companies which agents write only coverage other than insurance upon automobile authorized by clauses (1) (2) and (3) of subsection (b) of section 202 of the act of May 17, 1921 (P. L. 682), known as "the insurance com-

pany law of 1921" to submit to examination prior to licensure by the insurance commissioner and inserting in lieu thereof the following:

(b) Nothing in subsection (a) of this section shall be construed as requiring agents of domestic mutual fire insurance companies which agents write only coverages other than insurance upon automobiles authorized by clauses (1) (2) and (3) of subsection (b) of section 202 of the act of May 17, 1921 (P. L. 682), known as "the insurance company law of 1921" to submit to examination prior to licensure by the insurance commissioner.

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—158

Anderson, S. A.,	Goldstein, J. H.,	Magee,	Riley,
Arlene,	Gramlich,	Manbeck,	Rovansek,
Ashton,	Gray,	Markley,	Royer,
Auker,	Greenlee,	Maxwell,	Rubin,
Bachman,	Gremminger,	McCandless,	Rutherford,
Backenstoe,	Guesman,	McCann,	Sakulsky,
Blair,	Guthrie,	McCormack,	Scarcelli,
Boies,	Hamilton,	McDevitt,	Schaaf,
Bonner,	Hankins,	McDonald,	Schuster,
Bossert,	Hartley,	McInroy,	Shelton,
Branca,	Haudenshield,	McKeever,	Sherman,
Breth,	Heavey,	McLaughlin,	Shupnik,
Capano,	Hefner,	McNally,	Simmons,
Capitolo,	Helm,	Meholchick,	Slack,
Cianfrani,	Henzel,	Mills,	Snare,
Cioffi,	Hooker,	Monroe,	Stank,
Clarke,	Holl,	Morley,	Steckel,
Omer,	Irvis,	Mullen,	Stimmel,
Crossin,	Isaacs,	Munley,	Stone,
Curwood,	Jenkins,	Murphy,	Sullivan, J. A.,
Davis,	Jim,	Murray,	Sullivan, T. F.,
Dougherty,	Johnson, R. P.,	Musto,	Taylor,
Doughten,	Jones,	Needham,	Thompson,
Ellberg,	Kamyk,	O'Dell,	Tomascik,
Eshback,	Keiser,	O'Donnell, J. A.,	Trusio,
Eshleman,	Kelly,	O'Donnell, J. P.,	Ujohal,
Ewing,	Kernaghan,	Odoristo,	Varner,
Farabaugh,	Klein,	Ogilvie,	Verona,
Fetterolf,	Knecht,	Parlante,	Walsh,
Filo,	Kooker,	Pashley,	Welsh,
Fineman,	Kornick,	Perry,	Willard,
Flynn,	Kramer,	Petrosky,	Willaredt,
Frascella,	Lamb,	Piper,	Williams, A. D.,
Fry,	Lawson,	Polaski,	Wood,
Galley,	Lee, A. M.,	Polen,	Wynd,
Gallagher,	Leonard,	Prendergast,	Yetter,
Gelfand,	Lipmer,	Reibman,	Zember,
George,	Lippincott,	Reldenbach,	Zimmerman,
Gibb,	Long, Wm. Jos.,	Renwick,	Andrews,
Gibbons,	Lutty,		Speaker

NAYS—37

Adams,	Fulmer,	King,	Stiteler,
Anderson, J. H.,	Goldstein, M. H.,	Kistler,	Tompkins,
Bower,	Goodrich,	Korns,	Wall,
Buchanan,	Gross,	Lee, K. B.,	Weidner,
Bush,	Holliday,	Marsh,	Wescott,
Edwards,	Holman,	May,	Whittaker,
Elvey,	Horst,	Merry,	Williams, E. S.,
Esler,	Johnson, A. W.,	Price,	Wilt,
Foor,	Kessler,	Pursley,	Worley,
Fox,			

NOT VOTING—15

Bowman,	Dennison,	Long, Wm. Jas.,	Seltzer,
Cauley,	Donaldson,	Mihm,	Strausser,
Cooley,	Down,	Miller,	Wargo,
Dengler,	Forster,	Rudisill,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, that the clerk inform the Senate accordingly.

HOUSE RESOLUTION NO. 50

Mr. McCANN. Mr. Speaker, I call up House Resolution No. 50.

The resolution was read by the clerk as follows:

In the House of Representatives, April 4, 1961.

Whereas the Independence Hall Mall is now nearly a completed project of the Commonwealth of Pennsylvania and

Whereas the Federal Mall East of Independence Hall is also nearing completion and

Whereas the Redevelopment Authority Law which has helped give new life to so many important sections of the Commonwealth of Pennsylvania is a direct outgrowth of the Independence Hall Mall idea and

Whereas historic Society Hill and the Independence Neighborhood of old Philadelphia are being rebuilt modernized and redeveloped but will maintain a substantial portion of buildings of the late eighteenth and early nineteenth centuries so that such area will have the largest concentration of continuously occupied structures of early American architecture in the United States of America and

Whereas the millions of dollars expended in the Redevelopment program in and around old Philadelphia are bringing into being many many more millions of dollars of new structures and millions of dollars in revenue to the governments involved and

Whereas The honorable Edwin O Lewis former judge of the Court of Common Pleas of Philadelphia County devoted many years to the stimulation and implementation of these projects and provided the inspiration and leadership so necessary to its success and

Whereas this activity was stimulated and encouraged by petitions of the residents of Philadelphia's Fifth Ward prepared by a former member of the House of Representatives the Honorable Isidor Ostroff and circulated by his committee made up of Harry Faden Jacob Tracer Eugene Kane Louis Ordile Lena Singer Harry Gralnick Barney Brooke Harry Katz Sabina Singer Harry Schmulker Dorothy Schaeffer I L Stern Albert Gerofsky Henry LeBlond and many others and

Whereas such petitions were forwarded to Congressman Leon Sacks who first introduced in the Congress of the United States a bill prepared by the Honorable Isidor Ostroff for the creation of the Independence Hall Mall which bill was introduced in subsequent Congresses by the successors of Congressmen Sacks Gallagher Bradley Hardie Scott and Byrne and

Whereas the said Isidor Ostroff cooperated with Honorable Edwin O Lewis and the Independence Hall Association in many appearances before this and the National Legislature and worked anonymously with Judge Lewis to bring about the realization of this patriotic transformation of Old Philadelphia during which he had the "soubriquet" of "chief errand boy" and liaison and

Whereas it is fitting and proper that the Legislature of Pennsylvania should record for posterity the unsung selfless devotion with which these persons worked with any and all to make possible the proper enshrinement of our nation's most cherished historical structures and the best setting for America's most historic mile square therefore be it.

Resolved That the Legislature of Pennsylvania extends its congratulations and felicitations to the Honorable Edwin O Lewis the Honorable Isidor Ostroff Congressmen Sacks Gallagher Bradley Hardie Scott and Byrne as well as the residents of the fifth ward of Philadelphia referred to above on the transformation of the area in the vicinity of Independence Hall into a site of beauty and a fitting setting for the enshrinement of our nation's most hallowed historic structures and the preservation of so many authentic early American structures and our gratification that their dedicated persistency in the face of ridicule and skepticism made possible the realization of their "dream" for a better Philadelphia and be it further

Resolved That a copy of this resolution be sent to the Honorable Edwin O Lewis the Honorable Isidor Ostroff Congressmen Sacks Gallagher Bradley Hardie Scott and

Byrne as well as each of the residents of the Fifth Ward of Philadelphia referred to above or their families

On the question,

Will the House adopt the resolution as amended?

It was adopted.

HOUSE RESOLUTION NO. 83

Mr. McCANN. Mr. Speaker, I call up House Resolution No. 83.

The resolution was read by the clerk as follows:

In the House of Representatives, June 12, 1961.

Whereas The proper and expeditious performance of the functions of the General Assembly requires continual review and reappraisal if legislative procedures are to be as efficient as is humanly practicable within the limits imposed by the constitution and contribute in the greatest degree to the public knowledge and understanding of the democratic process and

Whereas Archaic and cumbersome procedures tend to divert attention from the rapidly-growing and ever-changing complexities of contemporary legislative activities and create a false image of government therefore be it

Resolved That the Joint State Government Commission be directed to undertake a thorough investigation of legislative procedures and operations and ascertain what methods are available that could reasonably be expected to expedite the conduct of legislative business and be it further

Resolved That the Joint State Government Commission include in its investigation a study of practices in other states where legislative procedures have been modified in recent years or where legislative procedures are in operation which if adopted in Pennsylvania would facilitate the more efficient performance of legislative functions and be it further

Resolved That in order to assure public participation and full discussion of the issues involved the Joint State Government Commission make available its findings as developed and report its findings and recommendations to the 1963 Session of the General Assembly

On the question,

Will the House adopt the resolution?

It was adopted.

HOUSE RESOLUTION NO. 86

Mr. McCANN. Mr. Speaker, I call up House Resolution No. 86.

The resolution was read by the clerk as follows:

In the House of Representatives, June 22, 1961.

The Joint State Government Commission is hereby directed to make a study of the Milk Control Law namely the act of April 28 1937 (P L 417) as amended to determine the present need for such legislation and the advantages and disadvantages and its effect on the economy of our Commonwealth.

The Joint State Government Commission shall file its report with the House of Representatives by January 15 1962

On the question,

Will the House adopt the resolution?

It was adopted.

SENATE MESSAGE

SENATE CONCURRENT RESOLUTION
SERIAL NO. 108

The clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, February 13, 1961.

Whereas, On January 8, 1961 a prison break was at-

tempted by some of the inmates at the penal institution known as The Eastern State Correctional Institution located in the City of Philadelphia. This outbreak was quelled. This prison is one hundred and thirty years old. It houses 991 prisoners of which 177 are maximum security cases, consisting of those who are serving life sentences, awaiting execution and others who require the utmost in security measures.

The facilities of this penal institution are outmoded and woefully lacking in the equipment and necessary facilities in taking care of inmates of this type. It also has become apparent to many that an institution of this kind should not be located in the heart of a residential section as it now is in the City of Philadelphia. There has been widespread fear of the residents who reside around the area where this institution is located.

It is the sense of the Senate of the Commonwealth of Pennsylvania that a study should be made by the Joint State Government Commission of the facilities and security measures surrounding this institution, as well as the Western State Correctional Institution, also a study of removal of all institutions from the Cities of Philadelphia and Pittsburgh to a place better located for institutions of this kind; therefore be it

Resolved (the House of Representatives concurring), That the Joint State Government Commission determine and recommend suitable sites to which the Western and Eastern State Correctional institutions may be moved; and be it further

Resolved, That the Joint State Government Commission determine and recommend the type of institution that should be built in order to accommodate the inmates of Western and Eastern State Correctional Institutions; and be it further

Resolved, That in developing the study herein provided for, the Joint State Government Commission give particular attention to the possible location of either or both of said Eastern and Western Correctional Institutions in a county in northern Pennsylvania wherein are located large tracts of unoccupied lands already owned by the Commonwealth; and be it further

Resolved, That the Joint State Government Commission make a report of its studies and recommendations to the General Assembly by April 15, 1961.

Ordered, that the clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, that the clerk inform the Senate accordingly.

SENATE MESSAGE

SENATE CONCURRENT RESOLUTION SERIAL NO. 119

The clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, May 24, 1961.

Whereas among Pennsylvania's institutions of higher learning, Drexel Institute of Technology is found in the very vanguard of Pennsylvania's cultural and technological progress, and

Whereas in the fall of the year Nineteen Hundred and Sixty One, Drexel Institute of Technology will celebrate the Seventieth Anniversary of its founding; and

Whereas this great Seat of Learning, located in the heart of Philadelphia, has served with exemplary and intensity of dedication the interests of Pennsylvania from which over three-fourths of its students hail and where an equal percentage of its graduates make their homes and careers following graduation; and

Whereas with an exemplary efficiency of operation from early morning until late at night throughout the year, the Drexel Institute of Technology has been able to provide programs of higher education in science, technology, in-

dustrial management, home economics, and library science for over 125,000 men and women during its seven decades of operation; and

Whereas through its program of cooperative education the Drexel Institute of Technology has now conducted for forty years many programs serving as a means whereby young people of ability can complete a college program as well as enhance the meaning of that education by applying same through internships in the professions and in industry; and

Whereas through its evening undergraduate and graduate programs, the Drexel Institute of Technology has made it possible for thousands of men and women, employed by day, to grow in understanding and in professional competence, thereby achieving their baccalaureate and master's degrees, while still remaining fully productive in the working force; and

Whereas through its Graduate School of Library Science, the oldest in Pennsylvania and one of the three oldest in the United States, it has been—and with an expanding program will increasingly be—one of the major sources of professional librarians now so urgently needed in Pennsylvania; and

Whereas under the inspiring leadership of its great President Dr. James Creese and almost exclusively through efforts to obtain support from private sources, the Drexel Institute of Technology has, within the last fifteen years, doubled its capacity for educational service so that, annually, it accommodates now some 9000 students and graduates nearly 1000 young men and women; and

Whereas, the President, the officers and the trustees of the Drexel Institute of Technology, fully cognizant of the educational needs of Pennsylvania generally, and of our National progress in Technology in particular, are initiating a program of construction that will increase the capacity of the Institute to serve nearly 14,000 students by the end of another decade; and

Whereas the Drexel Institute of Technology has persistently endeavored to create, in Philadelphia, a center of higher scientific and technological education and research conducive to the advancement of the commercial and industrial potentialities and interests of the Delaware Valley and the Commonwealth; and

Whereas the corporate example of good citizenship of the Drexel Institute of Technology is equally matched by the examples of responsible citizenship given by members of its staff and their public services on behalf of the City of Philadelphia, the Commonwealth, and the Federal Government, and notably in the case of President Creese who has assumed numerous responsibilities, including that of the chairmanship of the Governor's Committee on Unemployment Compensation; and

Whereas at the time of the celebration of the seventieth anniversary of the founding of the Drexel Institute of Technology, in the fall of 1961, the General Assembly of Pennsylvania will not be in session; and

Whereas the House of Representatives and the Senate of the General Assembly of Pennsylvania are desirous to join the people of Pennsylvania generally and the citizens of Philadelphia in particular, in paying tribute to the Drexel Institute of Technology at the time of the festivities, in the fall of 1961.

Now Therefore Be It Resolved that the House of Representatives and the Senate of the General Assembly of Pennsylvania, extend to the President, trustees and officers of the Drexel Institute of Technology, on behalf of the people of Pennsylvania, their profound appreciation of the services rendered by the Institute to the Commonwealth of Pennsylvania in the past and the services being rendered there at the present time,

And Be It Further Resolved that the President Pro Tempore of the Senate of Pennsylvania appoint three Senators and the Speaker of the House of Representatives of Pennsylvania appoint three State Representatives, in order that they may convey to the Drexel Institute of Technology at the time of the observance of the seventieth anniversary of the founding of the Institute, this Resolution of appreciation and greetings,

And Be It Further Resolved that upon the passage of this Resolution, the Secretary of the Senate forward an

official copy of the Resolution to Dr. James Creese, President of the Drexel Institute of Technology.

Ordered, that the clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate? It was concurred in.

Ordered, that the clerk inform the Senate accordingly.

INTERROGATION

The SPEAKER. The Chair recognizes the minority leader.

Mr. A. W. JOHNSON. Mr. Speaker, I would like the privilege of interrogating the majority leader.

The SPEAKER. Will the majority leader permit himself to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

Mr. A. W. JOHNSON. Mr. Speaker, I would like to ask the majority leader, in line with his declaration earlier this week, did you put in a reapportionment bill, and, if so, what is the bill number?

Mr. McCANN. I did not put in a congressional reapportionment bill. The reapportionment bill is in the hands of Mr. Hershey, director of the Legislative Reference Bureau, being prepared.

Mr. A. W. JOHNSON. Mr. Speaker, the bill is in the preparation stage, is that right?

Mr. McCANN. That is right.

Mr. A. W. JOHNSON. Then the Democratic side has agreed on a plan that it is willing to submit?

Mr. McCANN. We will introduce the bill in the House of Representatives.

Mr. A. W. JOHNSON. When will you introduce the bill?

Mr. McCANN. Well, I assume I will introduce the bill even during the period that we will not be in session, so that it will be printed and placed in the House for distribution so all of you who desire can have it.

Mr. A. W. JOHNSON. If the bill is left with the chief clerk, it will be available so that we can obtain a copy of it during the interim, is that correct?

Mr. McCANN. Absolutely.

The SPEAKER. It will be printed and at the disposal of the members.

Mr. McCANN. Printed and distributed, yes.

Mr. A. W. JOHNSON. Mr. Speaker, in view of what I said the other day, if Mr. McCann and the leaders have proceeded that far, I will have nothing more to say and we will await the arrival of the bill.

I realize we are getting along rather well on education and if we could just agree on a reapportionment bill, we could wrap this session up quite rapidly. Is that your objective?

Mr. McCANN. Mr. Speaker, there would be no question that when we pass the education program and the necessary revenue-raising measure and the congressional reapportionment, we certainly would be nearing the goal for the completion of the 1961 session of the General Assembly.

Mr. A. W. JOHNSON. Thank you.

Mr. Speaker, I would like to yield to Mr. Lippincott. I believe he would like to ask a question also.

INTERROGATION

Mr. LIPPINCOTT asked and obtained unanimous consent to interrogate the majority leader.

Mr. Speaker, since the bill is now prepared or being prepared and I assume the gentleman knows what is in it, would he state whether or not the congressional reapportionment bill uses parts of Delaware, Montgomery and Bucks Counties in retaining Philadelphia congressional seats?

Mr. McCANN. Mr. Speaker, I was sure he was going to ask me that question and I am sure he knows the answer. The bill will be introduced and the answer is, it does use sections, and you will wait until you receive the bill.

Mr. LIPPINCOTT. I thank the gentleman.

BILLS AND RESOLUTIONS PASSED OVER

Mr. McCANN. Mr. Speaker, I request that all other bills and resolutions on today's calendar not acted upon be passed over.

The SPEAKER. The Chair hears no objection.

ADJOURNMENT

Mr. OGILVIE. Mr. Speaker, I move that this House do now adjourn until Monday, August 7, 1961, at 2 p.m., e.s.t.

The motion was agreed to, and (at 1:41 p.m., e.s.t.) the House adjourned.

HOUSE SUPPLEMENT

STANDING COMMITTEES

AGRICULTURE AND DAIRY INDUSTRIES

Farabaugh, Chairman, Prendergast, Vice Chairman, Yetter, Secretary, Cooley, Gray, Hamilton, Kamyk, McNally, Musto, Perry, Reibman, Rubin, Wargo, Ashton, Fox, Korns, Manbeck, McCandless, Wescott, Worley.

APPROPRIATIONS

Polen, Chairman, Stank, Vice Chairman, Munley, Secretary, Boies, Eilberg, Gelfand, Hamilton, McCormack, Mihm, Mullen, Musto, Reidenbach, Wargo, Bower, Down, Hocker, Seltzer, Willaredt, Wilt, Wood.

BANKING AND BUILDING AND LOAN ASSOCIATIONS

Parlante, Chairman, Clarke, Vice Chairman, Comer, Secretary, Bachman, Curwood, Gelfand, Greenlee, Guesman, Luty, Mills, O'Donnell, J. A., Rubin, Sherman, Buchanan, Bush, Dengler, Goldstein, J. H., Gramlich, Keiser, Varner.

BOROUGHES

Filo, Chairman, Murphy, Vice Chairman, Klein, Secretary, Cooley, Farabaugh, Jenkins, Lawson, Long, Wm. James, Reibman, Sakulsky, Sullivan, J. A., Sullivan, T. F., Verona, Gross, Kernaghan, Kistler, Knecht, Kooker, Simmons, Zimmerman.

CITIES—COUNTIES, FIRST CLASS

Dougherty, Chairman, Mullen, Vice Chairman, Kelly, Secretary, Arlene, Branca, Comer, Doughten, Frascella, Limper, Parlante, Rubin, Shelton, Sullivan, J. A. Anderson, J. H., Davis, Holman, Lee, A. M., Pursley, Williams, A. D. Jr., Zember.

CITIES—COUNTIES, SECOND CLASS AND SECOND CLASS A

Luty, Chairman, Jenkins, Vice Chairman, Cauley Secretary, Clarke, Foerster, Irvis, Kamyk, Lamb, Leonard, McLaughlin, Needham, Schuster, Walsh, Donaldson, Gibb, Goldstein, M. H., Haudenshield, Kessler, King, Thompson.

CITIES—THIRD CLASS

Walsh, Chairman, Sakulsky, Vice Chairman, Verona Secretary, Boies, Cioffi, Gailey, Gremminger, McDevitt, McDonald, Polaski, Tomascik, Truisio, (one vacancy—Majority), Down, Magee, Marsh, Miller, Ogilvie, Rutherford, Slack.

CONGRESSIONAL APPORTIONMENT

Sherman, Chairman, Lamb, Vice Chairman, Fry, Secretary, Comer, Frascella, Greenlee, Gremminger, Limper, O'Donnell, J. P., Reidenbach, Rovanseck, Rudisill, Trusio, Bower, Esler, Henzel, Holliday, Horst, Kernaghan, Weidner.

COUNTIES

Cioffi, Chairman, McDonald, Vice Chairman, McNally, Secretary, Farabaugh, Flynn, Foerster, Hankins, O'Donnell, J. A., Prendergast, Rovanseck, Sakulsky, Scarcelli, (one vacancy—Majority), Eshleman, Gibbons, Holl, Holliday, McCandless, Pursley, Wynd.

EDUCATION

Reibman, Chairman, Anderson, S. A., Vice Chairman, Hamilton, Secretary, Capano, Eilberg, Fineman, Gailey, Irvis, Morley, Murray, Musto, Reidenbach, Sherman, Dengler, Eshleman, Fulmer, Goldstein, M. H., Helm, Henzel, Lee, A. M.

ELECTIONS

Eilberg, Chairman, Murray, Vice Chairman, Prendergast, Secretary, Capano, Gray, Klein, McDevitt, Monroe, Murphy, Pashley, Sullivan, J. A., Sullivan, T. F., Walsh, Bowman, Dengler, Dennison, Edwards, Varner, Wall, Zember.

FISHERIES

Jim, Chairman, Schaaf, Vice Chairman, Gremminger, Secretary, Curwood, Kelly, Long, Wm. James, Mehlochick, O'Donnell, J. A., Riley, Schuster, Shelton, Shupnik, Yetter, Edwards, Gramlich, Merry, O'Dell, Stimmel, Willard, Zimmerman.

GAME AND CONSERVATION

Curwood, Chairman, Renwick, Vice Chairman, Cooley, Secretary, Doughten, Fry, Guesman, Hartley, Jim, Long, Wm. Joseph, Mehlochick, Riley, Shupnik, Yetter, Auker, Goodrich, Lee, K. B., McInroy, Snare, Willard, Wynd.

HIGHWAYS

Comer, Chairman, Yetter, Vice Chairman, Cioffi, Secretary, Curwood, Filo, Fry, Greenlee, Heavey, Kornick, McNally, Munley, Stank, Stone, Walsh, Davis, Down, Eshleman, Fulmer, Lee, K. B., Merry, Strausser, Thompson.

INSURANCE

Hamilton, Chairman, Heavey, Vice Chairman, Guesman, Secretary, Crossin, Doughten, Gremminger, Hankins, Hartley, Kelly, Kornick, Prendergast, Sakulsky, Shelton, Foor, Horst, Odorisio, Pursley, Stimmel, Stiteler, Willard.

JUDICIARY

Rudisill, Chairman, McCormack, Vice Chairman, Gelfand, Secretary, Eilberg, Fineman, Gailey, Irvis, Lamb, Murphy, Reibman, Schaaf, Sherman, Stone, Auker, Bowman, Esler, Heffner, Isaacs, Magee, Steckel.

JUDICIARY SPECIAL

Leonard, Chairman, Branca, Vice Chairman, Clarke, Secretary, Cauley, Gray, Kramer, Mills, Riley, Tomascik, Welsh, Backenstoe, Bower, Holman, Johnson, R. P., Worley.

LABOR RELATIONS

Wargo, Chairman, McKeever, Vice Chairman, Sullivan, T. F., Secretary, Bonner, Branca, Flynn, Hartley, Lawson,

Leonard, McLaughlin, Polaski, Rovanseck, Welsh, Adams, Edwards, George, Holl, Gross, Marsh, Rutherford.

LAW AND ORDER

Welsh, Chairman, Gailey, Vice Chairman, Hankins, Secretary, Hartley, Jenkins, Kramer, Long, Wm. James, Mills, Monroe, Mullen, Munley, Murray, Scarcelli, Foor, George, Gibb, Kessler, Knecht, Strausser, Ujobai.

LEGISLATIVE APPORTIONMENT

Kornick, Chairman, Gelfand, Vice Chairman, Crossin, Secretary, Arlene, Cioffi, Filo, Gallagher, McKeever, Morley, Needham, Parlante, Schaaf, Stone, Ashton, Blair, Goldstein, M. H., Weidner, Willard, Williams, A. D. Jr., Williams, E. S.

LIQUOR CONTROL

Reidenbach, Chairman, Scarcelli, Vice Chairman, Flynn, Secretary, Boies, Capitolo, Maxwell, Mills, Rubin, Schuster, Stank, Taylor, Trusio, Wargo, Anderson, J. H., Bossert, Elvey, Eshback, Manbeck, Piper, Steckel.

MILITARY AFFAIRS

Needham, Chairman, Arlene, Vice Chairman, Anderson, S. A., Secretary, Capitolo, Crossin, Kamyk, Limper, Long, Wm. Joseph, McKeever, Mehlochick, Mihm, Scarcelli, Shupnik, Adams, George, May, Ogilvie, Price, Snare, Stiteler.

MINES AND MINERAL INDUSTRIES

Rovanseck, Chairman, Bonner, Vice Chairman, Murphy, Secretary, Crossin, Kornick, McDonald, Mehlochick, Needham, Stank, Verona, Buchanan, Dennison, Ewing, Knecht, Varner.

MOTOR VEHICLES

Limper, Chairman, McLaughlin, Vice Chairman, Cianfrani, Secretary, Bachman, Capitolo, Cauley, Filo, Frascella, Kelly, Lawson, McNally, Renwick, Taylor, Dennison, Ewing, Gibb, Guthrie, Lippincott, Markley, O'Dell.

MUNICIPAL CORPORATIONS

Polaski, Chairman, Gallagher, Vice Chairman, Capitolo, Secretary, Cauley, Cianfrani, Greenlee, Hankins, Jim, Jones, Klein, Long, Wm. James, McDonald, Riley, Blair, Bowman, Bush, Fetterolf, Gibbons, Isaacs, May.

PROFESSIONAL LICENSURE

Boies, Chairman, Pashley, Vice Chairman, Shupnik, Secretary, Clarke, Fineman, Jones, Klein, Maxwell, McCormack, O'Donnell, J. P., Parlante, Perry, Schaaf, Haudenschild, King, Kooker, Piper, Simmons, Slack, Whittaker.

PUBLIC HEALTH AND SANITATION

Maxwell, Chairman, Monroe, Vice Chairman, Jones, Secretary, Bachman, Gray, Lawson, O'Donnell, J. A., O'Donnell, J. P., Polen, Sullivan, T. F., Backenstoe, Fox, Henzel, Kistler, Kooker.

PUBLIC UTILITIES AND CORPORATIONS

Mills, Chairman, Cianfrani, Vice Chairman, Kramer, Secretary, Gallagher, Hamilton, Heavey, Luty, Maxwell, Murray, O'Donnell, J. A., Pashley, Taylor, Tomascik, Bossert, Guthrie, Heffner, Magee, Steckel, Thompson, Wall.

RAILROADS AND RAILWAYS

Taylor, Chairman, Schuster, Vice Chairman, Gallagher, Secretary, Arlene, Boies, Guesman, Long, Wm. Joseph, McDevitt, Shelton, (one vacancy—Majority), Isaacs, McInroy, Miller, Wall, Worley.

RULES

McCann, Chairman, Andrews, Dougherty, Eilberg, Helm, A. W. Johnson, Kamyk, Musto, Petrosky, Tompkins.

STATE GOVERNMENT

Fineman, Chairman, Foerster, Vice Chairman, Pashley, Secretary, Anderson, S. A., Kramer, Luty, McCormack, Perry, Polaski, Polen, Reidenbach, Renwick, Rudisill, Donaldson, Price, Royer, Stimmel, Strausser, Williams, E. S., Wood.

TOWNSHIPS

Flynn, Chairman, Trusio, Vice Chairman, Farabaugh, Secretary, Bachman, Cooley, Fry, Jim, Jones, Kornick, Morley, Renwick, Rudisill, Verona, Eshback, Goodrich, Horst, Johnson, R. P. Korns, Odorisio, Wescott.

WAYS AND MEANS

Kamyk, Chairman, Frascella, Vice Chairman, McLaughlin, Secretary, Foerster, Heavey, Mihm, Morley, Munley,

Musto, O'Donnell, J. P., Perry, Polen, Wargo, Ashton, Davis, Ewing, Guthrie, Ogilvie, Price, Royer.

WELFARE

Stone, Chairman, Munley, Vice Chairman, Bonner, Secretary, Anderson, S. A., Capano, Doughten, Kamyk, Lamb, Leonard, Long, Wm. Joseph, Monroe, Mullen, Musto, Auken, Elvey, Markley, Miller, Ujobai, Weidner, Whittaker.

WORKMEN'S COMPENSATION

Capano, Chairman, Irvis, Vice Chairman, Sullivan, J. A., Secretary, Bonner, Branca, Cianfrani, Jenkins, Limper, McDevitt, McKeever, Rovanssek, Tomascik, Welsh, Blair, Buchanan, Goldstein, J. H., Keiser, McInroy, Wescott, Zember.

Legislative Journal.

Session 1961.

145th of the General Assembly.

Vol. 38.

HARRISBURG, PA., MONDAY, JULY 31, 1961.

No. 83.

SENATE

MONDAY, JULY 31, 1961.

The Senate met at 2:00 p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant Governor John Morgan Davis) in the Chair.

PRAYER

The Chaplain, Rev. CARL M. FULTON, Pastor of Middletown Second Baptist Church, Middletown, offered the following prayer:

Almighty and most merciful God, our dear heavenly Father, we approach Thy holy throne this day, praying Thy holy blessing upon this governing Body, the Senate of Pennsylvania. We pray that Thou wilt grant them knowledge from on high to perform the great work which Thou hast so graciously appointed them to do for our great State. We also pray, Holy Gather, that Thou wilt bless their families, thier homes and the various communities from whence they come. Also, bless everyone within the sound of my voice today.

We pray, Holy Father, that Thou wilt continue to bless our great State and Nation with peace and prosperity. We are grateful for our freedom and sensitive to the needs of our Commonwealth and Nation. We pray, Holy Father, that Thou wilt continue to make us the greatest Nation on earth, and help us to hold fast to that which we have through the presence of Thy holiness.

We thank Thee for Thy goodness and mercy toward us. We also pray that Thou wilt bring our lives into conformity to do Thy holy and everlasting will. Grant us to remember Thee at all times, and that Thou art the Creator of all things visible and invisible.

We pray Thy holy blessing to be with our Governor and the Lieutenant Governor of our Commonwealth of Pennsylvania. We ask these blessings in the name of our Strength and our Redeemer. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WEINER and Mr. SILVERT, further reading was dispensed with, and the Journal was approved.

COMMUNICATIONS FROM THE GOVERNOR

APPROVAL OF SENATE BILLS

The Secretary to the Governor being introduced, pre-

sented communications in writing from His Excellency, the Governor, advising that the following Senate Bills had been approved and signed by the Governor:

SB 100, 428, 491, 533, 534, 535, 541, 555, 620 and 691.

NOMINATION BY THE GOVERNOR REFERRED TO COMMITTEE

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

JUDGE OF THE SUPREME COURT OF PENNSYLVANIA

July 31, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Anne X. Alpern, 3441 Beechwood Boulevard, Pittsburgh, Allegheny County, for appointment as Judge of the Supreme Court of Pennsylvania, until the first Monday of January 1962, vice Hon. Charles Alvin Jones, resigned.

DAVID L. LAWRENCE

MEMBER OF THE JUVENILE COURT JUDGES' COMMISSION

July 31, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Alton A. McDonald, Judge of the Court of Common Pleas of the Forty-seventh Judicial District, Ebensburg, Cambria County, for reappointment as a member of the Juvenile Court Judges' Commission, until June 7, 1964, and until his successor is appointed and qualified.

DAVID L. LAWRENCE

MEMBER OF THE BOARD OF TRUSTEES OF CONNELLVILLE STATE HOSPITAL,

July 31, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate James L. Ruane, 504 East Washington Avenue, Connellsville, Fayette County, for appointment as a member of the Board of Trustees of Connellsville State Hospital, until the third Tuesday of January 1967, and until his successor is appointed and qualified, vice Meyer Aaron, Connellsville, deceased.

DAVID L. LAWRENCE

MEMBER OF THE BOARD OF TRUSTEES OF
BLOSSBURG STATE HOSPITAL

July 31, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Louis C. Buchanan, 251 South Main Street, Mansfield, Tioga County, for appointment as a member of the Board of Trustees of Blossburg State Hospital, until the third Tuesday of January 1967, and until his successor is appointed and qualified, vice John A. Frazier, Liberty, deceased.

DAVID L. LAWRENCE

MEMBER OF THE BOARD OF TRUSTEES OF
POLK STATE SCHOOL

July 31, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Leo J. Krasowski, 833 East Twenty-eighth Street, Erie, Erie County, for reappointment as a member of the Board of Trustees of Polk State School, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

DAVID L. LAWRENCE

JUSTICE OF THE PEACE

July 31, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Roy L. Renn, 331 Swatara Street, Middletown, Dauphin County, for appointment as Justice of the Peace in and for the First Ward of the Borough of Middletown, Dauphin County, to serve until the first Monday of January 1962, vice Certe Brown, deceased.

DAVID L. LAWRENCE

JUSTICE OF THE PEACE

July 31, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Charles C. Angelini, 91 Roseto Avenue, Roseto, Northampton County, for appointment as Justice of the Peace in and for the Borough of Roseto, Northampton County, to serve until the first Monday of January 1962, vice John Cistone, resigned.

DAVID L. LAWRENCE

HOUSE MESSAGES

SENATE CONCURRENT RESOLUTION RETURNED
WITH AMENDMENTS

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Concurrent Resolution, **Serial No. 108**, with the information that the House has concurred in the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. This communication, together with the resolution, will be laid on the table.

HOUSE CONCURS IN SENATE CONCURRENT
RESOLUTION

He also informed the Senate that the House has concurred in Senate Concurrent Resolution, **Serial No. 119**.

HOUSE CONCURS IN SENATE AMENDMENTS TO
HOUSE BILLS

He also informed the Senate that the House has concurred in amendments made by the Senate to **HB 197, 1083, 1098, 1174 and 1668**.

HOUSE CONCURS IN SENATE BILLS

He also returned to the Senate, **SB 76, 343, 583, 685, 748 and 751**, with the information that the House has passed the same without amendments.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence **HB 621**, which was referred to the Committee on Labor and Industry.

He also presented for concurrence **HB 1010, 1248 and 1768**, which were referred to the Committee on State Government.

He also presented for concurrence **HB 1339, 1340, 1541 and 1598**, which were referred to the Committee on Public Health and Welfare.

He also presented for concurrence **HB 1771**, which was referred to the Committee on Local Government.

He also presented for concurrence **HB 1813 and 1814**, which were referred to the Committee on Education.

BILLS SIGNED

The President (Lieutenant Governor John Morgan Davis) in the presence of the Senate signed the following bills:

SB 76, 508, 509, 529, 583, 751, HB 300, 761, 769, 799, 805, 806, 1193, 1194, 1195, 1196, 1197, 1199, 1232, 1234, 1307, 1403, 1440, 1476, 1630 and 1794.

REPORT FROM COMMITTEE ON
EXECUTIVE NOMINATIONS

Mr. DEVLIN, from the committee on Executive Nominations, reported the following nominations, made by his Excellency, the Governor, which were laid on the table:

MEMBER OF THE BOARD OF TRUSTEES OF
THE PENNSYLVANIA STATE UNIVERSITY

July 24, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mary Jane Wyland, 251 West Park Avenue, State College, Centre County, for reappointment as a member of the Board of Trustees of The Pennsylvania State University, until July 1, 1964, and until her successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF
LAURELTON STATE VILLAGE

July 24, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Regie D. Thompson, Millheim, Centre County, for reappointment as a member of the Board of Trustees of Laurelton State Village, until the third Tuesday of January 1963, and until her successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF
PHILIPSBURG STATE HOSPITAL

July 24, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Philipsburg State Hospital:

W. Carl Lupton, Philipsburg, Centre County, until the third Tuesday of January 1965, and until his successor is appointed and qualified.

Mrs. Lucy Merrell, Philipsburg, Centre County, until the third Tuesday of January 1965, and until her successor is appointed and qualified.

Thaddeus S. Wayne, Chester Hill, Clearfield County, until the third Tuesday of January 1967, and until his successor is appointed and qualified.

Mrs. Harriet Thompson, 911 Presqueisle Street, Philipsburg, Centre County, until the third Tuesday of January 1967, and until her successor is appointed and qualified.

Miles Clevenstine, R. D., Bellefonte, Centre County, until the third Tuesday of January 1967, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE FRANKLIN COUNTY BOARD OF
ASSISTANCE

July 17, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Louis S. Dougherty (Democrat), 320 Philadelphia Avenue, Chambersburg, Franklin County, for appointment as a member of the Franklin County Board of Assistance, until December 31, 1962, and until his successor is duly appointed and qualified, vice Joseph W. Spangler, Chambersburg, deceased.

DAVID L. LAWRENCE.

MEMBER OF THE NORTHUMBERLAND COUNTY
BOARD OF ASSISTANCE

July 24, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Leon J. Kanjura (Democrat), 914 East Race Street, Shamokin, Northumberland County, for appointment as a member of the Northumberland County Board of Assistance, until December 31, 1961, and until his successor is duly appointed and qualified, vice John J. Strausser, Shamokin, resigned.

DAVID L. LAWRENCE.

REPORT FROM COMMITTEE

Mr. WARE, from the Committee on Forests and Waters, Game and Fish, reported, as committed, **SB 866**.

RECESS

Mr. WEINER. Mr. President, I request a five minute recess of the Senate for the purpose of holding a meeting of the Committee on Local Government, to be held in Room 301.

The PRESIDENT. Are there any objections? The Chair hears no objection, and declares a five minute recess of the Senate.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

BILLS INTRODUCED AND REFERRED

Messrs. MAHADY, WAGNER, McMENAMIN and KELLER presented to the Chair **SB 885**, entitled:

An Act amending the act of May 5, 1933 (P. L. 457), entitled "Building and Loan Code," further defining and limiting the rights, powers, duties and liabilities of such associations and shareholders and further defining terms.

Which was committed to the Committee on Banking.

Messrs. SEYLER and STEVENSON presented to the Chair **SB 886**, entitled:

An Act amending the act of July 15, 1957 (P. L. 901), entitled "Optional Third Class City Charter Law," further providing for the removal from office of city officers or employees.

Which was committed to the Committee on Local Government.

Mr. STIEFEL presented to the Chair **SB 887**, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," providing for the restoration or issuance of licenses, registrations and operating privileges of nonresidents when judgment creditors cannot be found.

Which was committed to the Committee on Highways.

PERMISSION TO ADDRESS SENATE

Mr. WADE asked and obtained unanimous consent to address the Senate.

Mr. WADE. Mr. President, the bill I am about to introduce, on behalf of Senator Kessler, Senator Probert, Senator Stevenson and myself, would amend the State Highway and Bridge Authority Act. Later today, when we reach the Second Reading Calendar, you will find an amendment to the General State Authority Act in the form of House Bill No. 1335. We will have amendments to present to that bill, taking out of the General State Authority the matter of constructing driver examination points throughout the Commonwealth.

This bill, Mr. President, amends the State Highway and Bridge Authority Act by having the Authority build these driver examination points for the reason that all rent as payable for Highway and Bridge Authority Bonds are payable out of the Motor License Fund.

Therefore, Mr. President, that is my reason for presenting this bill at this time.

BILL INTRODUCED AND REFERRED

Messrs. WADE, KESSLER, PROBERT and STEVENSON presented to the Chair **SB 888**, entitled:

An Act amending the act of April 18, 1949 (P. L. 604), entitled "State Highway and Bridge Authority Act," increasing the powers of the Authority to include the construction of driver examination points and specifying that certain unallocated funds shall be used for that purpose.

Which was committed to the Committee on Highways.

PERMISSION TO ADDRESS SENATE

Mr. STIEFEL asked and obtained unanimous consent to address the Senate.

Mr. STIEFEL. Mr. President, we are rapidly approaching the time when the entire United States, generally, and Pennsylvania in particular, will celebrate the Centennial of the Battle of Gettysburg.

Unfortunately, Pennsylvania is not keeping pace with other States. Even States which formed part of the Confederacy have elaborate groups preparing for the Centennial. In order to stimulate interest and tourism,—and there is no doubt that Gettysburg is going to be the mecca of American tourism in 1963—I am presenting this resolution, asking the Postmaster General of the United States to issue a series of stamps, beginning now, in order to attract the attention of the people of the United States to this great event.

Therefore, on behalf of Senator Chapman and myself, I am offering this resolution and request its immediate adoption.

SENATE RESOLUTION

REQUESTING THE ISSUANCE OF SPECIAL COMMEMORATIVE POSTAGE STAMPS ON THE 100TH ANNIVERSARIES OF THE ALTOONA CONFERENCE, THE BATTLE OF GETTYSBURG, THE GETTYSBURG ADDRESS AND THE BURNING OF CHAMBERSBURG

Messrs. STIEFEL and CHAPMAN offered the following resolution (Serial No. 89), which was read, considered and adopted:

In the Senate, July 31, 1961.

Whereas, The leading part taken by the Commonwealth of Pennsylvania among the northern States of the United States in efforts to maintain and defend the Union against secession and disruption during the Civil War will induce many Pennsylvanians as well as citizens of other States to visit the historic places of Pennsylvania associated with that great conflict during the present centennial period; and

Whereas, This same interest will lead them to seek significant mementoes reminiscent of these historic places and of the great events which occurred there, and especially commemorative postage stamps, which are among the most valued and treasured mementoes of historic events; and

Whereas, The Altoona Conference, on September 24-26, 1862, was called by Governor Andrew G. Curtin of Pennsylvania to bring together the Governors of the loyal northern States in a firm expression of support for the Union cause; and

Whereas, The Confederate invasion of 1863, which threatened Pennsylvania's rich farm areas and even her great industrial cities, might have brought defeat to the Union, but was halted at Gettysburg, Pennsylvania, in the decisive battle of the war on July 1-3, 1863; and

Whereas, President Lincoln in his brief address at the dedication of the National Cemetery at the battlefield of Gettysburg on November 19, 1863 gave classic and lasting expression to the principles of American democracy which men fought for in that battle and in that war; and

Whereas, The people of the borough of Chambersburg in Franklin County showed the extent to which Pennsylvanians were prepared to go in support of the Union when they refused to pay a ransom of \$100,000 to a Confederate army, and as a consequence saw their homes and places of business burned on July 30, 1864, at a total loss of more than \$1,600,000; and

Whereas, The Commonwealth of Pennsylvania in 1910 erected the largest monument on the battlefield at Gettysburg to commemorate the services of the soldiers from Pennsylvania in that great battle; and

Whereas, The Commonwealth of Pennsylvania, on July 1 to 4, 1913, was host to a Great Reunion of Union and Confederate veterans when the Grand Army of the Republic and the United Confederate Veterans met together

in a hearty reunion of former foes which symbolized a united nation; and

"Whereas, These significant events and places in Pennsylvania associated with the great conflict to preserve the Union are all exceedingly worthy of commemoration by the issuance of special commemorative postage stamps; therefore be it

Resolved, That the Senate of the Commonwealth of Pennsylvania hereby memorializes the Senators and Representatives from Pennsylvania in the Congress of the United States to introduce legislation or make representations to the Postmaster General of the United States for the issuance of special commemorative postage stamps on the hundredth anniversaries of the Altoona Conference, the Battle of Gettysburg, the Gettysburg Address, and the Burning of Chambersburg, and for a special commemorative postage stamp showing the Pennsylvania Memorial at Gettysburg on the fiftieth anniversary of the final day of the Great Reunion when Union and Confederate veterans agreed that friendship and good will had been completely restored between them.

PERMISSION TO ADDRESS SENATE

Mr. DEVLIN asked and obtained unanimous consent to address the Senate.

Mr. DEVLIN. Mr. President, the American Flag should be made in America, in place of the Japanese-made American Flags which are now selling for a dime a dozen in our variety stores. I am not urging a "Buy America Campaign." I know if we are to export our goods, we must buy products from foreign countries. However, I put the Flag in a special category which should not be foreign-made. It is one product which we should pre-empt exclusively for ourselves. It is the symbol of America; namely, what it is and what it stands for. That is why I would like to see the Flag American-made, in a union shop, where the high standards of living prevail.

I am particularly disturbed because these Flags are made in Japan which, at best, is a lukewarm ally in the cold war. Just some months ago, serious anti-American riots prevented a visit of a former President of the United States to Japan. It is too early to forget the results and horrors which we underwent during the last war.

Mr. President, I would suggest a two-pronged attack: First, that we urge all State and local agencies, veterans' groups and patriotic societies to purchase only American-made Flags. Secondly, that we urge our Department of Commerce to encourage Pennsylvania plants to engage in a more extensive production of American Flags and, further, to use the funds and facilities of the Industrial Development Authority to aid this program. We would be profaning the memory of Betsy Ross, of Pennsylvania, if we failed to do this. We should be the leader in the move to keep the American Flag completely American.

Mr. President, I show you a package of party favor flags, which were made in Japan, that are available in our dime stores.

Therefore, on behalf of all of the Senators from Allegheny County, I wish to introduce this resolution and request its immediate consideration and adoption.

SENATE RESOLUTION

DIRECTING THE SECRETARY OF COMMERCE TO USE THE FACILITIES OF THE INDUSTRIAL DEVELOPMENT AUTHORITY AND OF OTHER AGENCIES OF THE COMMONWEALTH TO ENCOURAGE THE MANUFACTURE OF AMERICAN FLAGS BY PENNSYLVANIA PLANTS

Messrs. DEVLIN, SARRAF, STAISEY, RIPP, MCGINNIS and FLEMING offered the following resolution (**Serial No. 90**), which was read, considered and adopted:

In the Senate, July 31, 1961.

Pennsylvania, the home of Betsy Ross, is being flooded with American flags made in Japan.

Japan, a lukewarm ally in the cold war, recently staged anti-American riots which prevented a visit by a former President.

Cruelties inflicted on American Servicemen linger in our memories and we cannot permit Japan to profit from the sacred privilege of producing the symbol of our liberties; therefore be it

Resolved, That the Senate of Pennsylvania direct the Secretary of the Department of Commerce to use the facilities of the Industrial Development Authority and of other agencies of the Commonwealth to encourage the manufacture of American flags by Pennsylvania plants; and be it further

Resolved, That public agencies, veterans' organizations and civic groups be urged to assist the program to buy only American flags made in America.

HOUSE MESSAGES

HOUSE NONCONCURS IN SENATE AMENDMENTS TO HOUSE CONCURRENT RESOLUTION

The Clerk of the House of Representatives being introduced, informed the Senate that the House has non-concurred in amendments made by the Senate to House Concurrent Resolution **No. 62**.

SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE CONCURRENT RESOLUTION **No. 62**

Mr. WEINER. Mr. President, I move that the Senate do insist upon its amendments to House Concurrent Resolution **No. 62**, and that a Committee of Conference on the part of the Senate be appointed.

Mr. DEVLIN. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE NONCONCURS IN SENATE AMENDMENTS TO HOUSE BILL

He also informed the Senate that the House has non-concurred in amendments made by the Senate to **HB 67**.

SENATE INSISTS UPON ITS AMENDMENTS NONCONCURRED IN BY THE HOUSE TO **HB 67**

Mr. WEINER. Mr. President, I move that the Senate do insist upon its amendments nonconcurring in by the House to the foregoing bill, and that a Committee of Conference on the part of the Senate be appointed.

Mr. DEVLIN. Mr. President, I second the motion.

The motion was agreed to.

Ordered, that the clerk inform the House of Representatives accordingly.

REPORT FROM COMMITTEE

Mr. MULLIN, by unanimous consent, from the Committee on Judiciary General, reported, as amended, **HB 1578**.

UNANIMOUS CONSENT GRANTED FOR IMMEDIATE CONSIDERATION OF THE CALENDAR

Mr. WEINER. Mr. President, I request unanimous con-

sent that we now proceed to the consideration of today's Calendar.

The PRESIDENT. There being no objection, we will proceed to the consideration of today's Calendar.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

SB 312 (Pr. No. 1067)—Mr. WEINER. Mr. President, I move that the Senate do nonconcur in the amendments made by the House to Senate Bill **No. 312**, and that a Committee of Conference on the part of the Senate be appointed.

Mr. LANE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

A voice vote having been taken, the question was determined in the affirmative and the motion was agreed to.

Ordered, that the clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS, OVER IN ORDER

SB 589—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

CONFERENCE COMMITTEE REPORT, OVER IN ORDER

SB 88—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

FINAL PASSAGE CALENDAR

BILLS OVER IN ORDER

HB 1082, 1140, 1241 and 1450—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

THIRD READING CALENDAR

APPROPRIATION BILL ON THIRD READING AND FINAL PASSAGE

HB 802 (Pr. No. 875)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bell,	Hawbaker,	Miller,	Silvert,
Berger,	Hays,	Mullin,	Stalsey,
Camiel,	Kalman,	Murray,	Stevenson,
Chapman,	Keller,	Pechan,	Stiefel,
Confair,	Kromer,	Propert,	Stroup,
Devlin,	Lane,	Ripp,	Van Sant,
DiSilvestro,	Madigan,	Rooney,	Wade,
Donolow,	Mahady,	Sarraf,	Wagner,
Ehrgood,	Mallery,	Scott,	Ware, III,
Flack,	McCreesh,	Sesler,	Weiner,
Fleming,	McGinnis,	Seyler,	Wolfe,
Haluska,	McMenamin,	Shater,	Yatron,

NAYS—2

Kessler, Taylor,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, that the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

right given to the Fish Commission or the Game Commission to appoint agents for the sale of their licenses.

It is a matter of convenience only, Mr. President. It is not too important, but it would do something in areas where it is difficult for people to get to the courthouses to get their dog licenses. There is nothing particularly earth-shaking about it either way. It seems to me a matter of convenience to the people of Pennsylvania.

Mr. LANE. Mr. President, in reference to this bill, I might say that it has been common practice throughout the Commonwealth to have the various County Treasurers in the Commonwealth sell dog license tags. In most cases, they receive a commission I believe of ten cents for every tag that is sold. That is considered part of the emolument of the County Treasurers and, should this legislation pass, there is no question but that there would be a decrease in their emolument.

The County Treasurer's office is set up primarily, I would say in the smaller counties, in most cases, as a fee office whereby, although they have a guaranteed salary, they must, of course, make their salary in the form of fees. In this particular case, the ten cent fee is paid direct to the Treasurer for every license that he sells. In most cases, he uses this money in order to hire a clerk to assist him in his operations.

I might say, Mr. President, there is one major defect in the selling of dog licenses, which I think I should bring to the attention of the Members of the Senate. At this particular time, I believe the Department of Agriculture does not submit the licenses to the various counties until around December the 1st. So within a period of forty-five days, the County Treasurer is quite busy selling dog licenses because the deadline, I believe, is January 15th. The Treasurer generally uses this ten cent commission to pay for extra help in order to do the job.

I think we would be doing wrong by passing this legislation, and I am going to vote "no."

Mr. BERGER. Mr. President, I do not know what the census would show, but there are probably a comparable number of fishermen and hunters to licensed dogs in Pennsylvania, and I have not heard anybody complain too bitterly about a lack of revenue to the Treasurer because they farm out the hunting and fishing licenses to agents throughout the various counties of the Commonwealth.

Again, Mr. President, it is not a matter of too great moment. However, it is a matter simply of convenience to the people.

Mr. FLEMING. Mr. President, as one of the sponsors of this earth-shaking legislation, I would like to briefly speak on it.

The only purpose that Senator Wade, Senator Hawbaker and I had in presenting this bill was for the convenience of the owners of dogs so that it would not necessitate a visit to the county seat in order to get the license.

Certainly, I think I can speak for Senator Wade and Senator Hawbaker. We do not care if the bill is defeated. If the Department of Revenue feels this would add an additional cost and burden to them, defeat it.

However, I cannot let Senator Lane's statement go unchallenged that this would in any way interfere with the revenue of a County Treasurer. I did a little quick arithmetic. In a county that would issue 10,000 dog licenses, the County Treasurer would realize the magnifi-

cent sum of \$1,000. Certainly, that could not interfere too much with the operation of any County Treasurer's office. I think this is not a very good reason for being against the bill.

This is one of the few times, gentlemen, when the sponsors of a bill will say to you: "Think nothing more of it. Vote against it."

Mr. BELL. Mr. President, I think we should put the problem of the County Treasurers and the Department of Revenue a little bit in the background and consider the problem of the citizens. In my county, around the first part of February of every year, we have a visit from the State dog agents. They go up and down the streets, chasing dogs. Immediately, there is a long line of citizens converging on the courthouse. The lines are very long and the citizens are very irritated.

There is recently-passed legislation which closes the courthouses on Saturday. So, we have a man who has a dog and he has to take a day off from work to get a dog license because the courthouse is not open on Saturday. I would suggest that we vote for this bill, not for the County Treasurers, not for the Department of Revenue, but for the people who own dogs who have to travel across the county and stand in line to get a dog license.

Mr. HAYS. Mr. President, I want to speak briefly on the convenience question which has been raised as far as this bill is concerned.

In the two counties which I have the honor to represent,—both Clearfield County and Centre County—before this State department man starts coming around, our County Treasurers go into every village and town in the two counties and sit late in the afternoon and evening so that all of the owners of dogs can go, at their convenience, and purchase their dog licenses for the coming year. I do not know whether this practice is prevalent in all of the sixty-seven counties of the State, but I suggest that you recommend this to the Republican County Treasurers in the various counties of the State, because these are two Democratic County Treasurers who offer this service to their constituents.

Mr. FLEMING. Mr. President, I will certainly heed the advice of Senator Hays. If Senator Devlin or Senator Staisey will go with me to the County Treasurer, Mr. Carpenter, I will suggest that he sit a couple of evenings a week in all of the municipalities in Allegheny County.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—14

Bell,
Berger,
Flack,
Fleming,

Hawbaker,
Keller,
Kessler,
Kromer,

Madigan,
Mallery,
Propert,

Wade,
Wagner,
Ware, III,

NAYS—34

Camiel,
Chapman,
Confair,
Devlin,
Donolow,
Ehrgood,
Haluska,
Hays,
Kalman,

Lane,
Mahady,
McCreesh,
McGinnis,
McMenamin,
Miller,
Mullin,
Murray,
Pechan,

Ripp,
Rooney,
Sarraf,
Scott,
Sesler,
Seyler,
Silver,
Staisey,

Stevenson,
Stiefel,
Stroup,
Taylor,
Van Sant,
Weiner,
Wolfe,
Yatron,

Less than a majority of all the Senators having voted

"aye," the question was determined in the negative, and the bill was defeated.

BILLS OVER IN ORDER

SB 351—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

SB 353—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

SB 646, 688 and 690—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

BILL POSTPONED

HB 719 (Pr. No. 2008)—Mr. WEINER. Mr. President, I move that House Bill No. 719 be placed on the Third Reading Postponed Calendar.

Mr. LANE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

A voice vote having been taken, the question was determined in the affirmative and the motion was agreed to.

BILLS OVER IN ORDER

SB 734, 769, HB 810, SB 811, 858 and HB 1015—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

BILLS ON THIRD READING AND FINAL PASSAGE

HB 1099 (Pr. No. 1216)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. WEINER. Mr. President, may we be at ease a moment?

The PRESIDENT. The Senate will be at ease.

(The Senate was at ease.)

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—33

Bell,	Kalman,	Mullin,	Silvert,
Camiel,	Kessler,	Murray,	Staisey,
Devlin,	Lane,	Propert,	Stiefel,
DiSilvestro,	Mahady,	Ripp,	Taylor,
Donolow,	McCreesh,	Rooney,	Van Sant,
Ehrgood,	McGinnis,	Sarra,	Ware, III,
Flack,	McMenamin,	Sesler,	Weiner,
Fleming,	Miller,	Seyler,	Yatron,
Haluska,			

NAYS—15

Berger,	Hays,	Mallery,	Wade,
Chapman,	Keller,	Pechan,	Wagner,
Confair,	Kromer,	Scott,	Wolfe,
Hawbaker,	Madigan,	Stevenson,	

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 1101 (Pr. No. 1738)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—33

Bell,	Kalman,	Mullin,	Silvert,
Camiel,	Kessler,	Murray,	Staisey,
Devlin,	Lane,	Propert,	Stiefel,
DiSilvestro,	Mahady,	Ripp,	Taylor,
Donolow,	McCreesh,	Rooney,	Van Sant,
Ehrgood,	McGinnis,	Sarra,	Ware, III,
Flack,	McMenamin,	Sesler,	Weiner,
Fleming,	Miller,	Seyler,	Yatron,
Haluska,			

NAYS—16

Berger,	Hays,	Mallery,	Stroup,
Chapman,	Keller,	Pechan,	Wade,
Confair,	Kromer,	Scott,	Wagner,
Hawbaker,	Madigan,	Stevenson,	Wolfe,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 1163 (Pr. No. 1563)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35

Bell,	Hawbaker,	Miller,	Silvert,
Camiel,	Hays,	Mullin,	Staisey,
Devlin,	Kalman,	Murray,	Stiefel,
DiSilvestro,	Kessler,	Propert,	Taylor,
Donolow,	Lane,	Ripp,	Van Sant,
Ehrgood,	Mahady,	Rooney,	Ware, III,
Flack,	McCreesh,	Sarra,	Weiner,
Fleming,	McGinnis,	Sesler,	Yatron,
Haluska,	McMenamin,	Seyler,	

NAYS—14

Berger,	Kromer,	Scott,	Wade,
Chapman,	Madigan,	Stevenson,	Wagner,
Confair,	Mallery,	Stroup,	Wolfe,
Keller,	Pechan,		

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING, DEFEATED ON FINAL PASSAGE

HB 1172 (Pr. No. 2536)—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. STIEFEL. Mr. President, again I must excoriate one of the officials in the Department of Welfare. However, this is not the main issue.

The question is whether or not we were wise in combining certain parts of different departments and forming a big, sprawling empire. The question now is, on what should be the accent? Should it be on mere custodial care or on geriatrics? If it is on geriatrics,—to improve the health and lot of elderly people—then this bureau should be in the Department of Health. If it is to be mere custody, where people will be vegetating and awaiting the

day of their death, then it should be in the Department of Public Welfare.

What is the reasoning behind putting all of the nursing homes in the Department of Public Welfare? Is it because the elderly people are receiving grants from the the Department of Public Welfare? There has been no effort to improve their lot or no stress and underscoring of geriatrics. This is the main issue. All of these nursing homes should be under the capable, experienced hands of Doctor Wilbar. This is where they belong.

Last summer, a panic was created in the city of Philadelphia. A certain administrator of the nursing homes decided that the best system of fire prevention was fire sprinklers and not a fire detection system. Despite the fact that the Fire Commissioner of Philadelphia, as well as the Secretary of Labor and Industry, maintained that a fire sprinkler system is not sufficient and not adequate, Mr. Elias Cohen decreed that the people must install, at the expense of thousands and thousands of dollars, a fire sprinkling system. For those who did not comply, he simply cut out the grant of old age pensions and assistance to the inmates of those nursing homes.

I feel House Bill No. 1172 is adding more power to a man who lacks circumspection, a man who is not flexible, and a man who is asserting himself to the detriment of the many citizens who maintain these nursing homes.

If there was ever anything un-American, oppressing and detestable, it is the methods of this man who has been vested with tremendous power. House Bill No. 1172 gives him more power to crush and annihilate. For this reason, Mr. President, I am going to vote against this bill.

And the question recurring,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. LANE. Mr. President, I desire to change my vote from "aye" to "no."

The PRESIDENT. The gentleman will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—21

Camiel,	Mahady,	Murray,	Seyler,
Devlin,	McCreesh,	Ripp,	Silvert,
DiSilvestro,	McGinnis,	Rooney,	Stalsey,
Donolow,	Miller,	Sarraf,	Weiner,
Haluska,	Mullin,	Sesler,	Yatron,
Hays,			

NAYS—28

Bell,	Hawbaker,	Mallery,	Stroup,
Berger,	Kalman,	McMenamin,	Taylor,
Chapman,	Keller,	Pechan,	Van Sant,
Confair,	Kessler,	Propert,	Wade,
Ehrgood,	Kromer,	Scott,	Wagner,
Flack,	Lane,	Stevenson,	Ware, III,
Fleming,	Madigan,	Stiefel,	Wolfe,

Less than a majority of all the Senators having voted "aye," the question was determined in the negative, and the bill was defeated.

BILL OVER IN ORDER

HB 1190—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

HB 1241 CALLED UP

HB 1241 (Pr. No. 1829)—Without objection, the bill, which previously went over in its order, was called up,

from page 2 of the Final Passage Calendar, by Mr. WEINER.

BILL ON FINAL PASSAGE DEFEATED

HB 1241 (Pr. No. 1829)—On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—25

Camiel,	Lane,	Mullin,	Seyler,
Devlin,	Mahady,	Murray,	Silvert,
DiSilvestro,	McCreesh,	Ripp,	Stalsey,
Donolow,	McGinnis,	Rooney,	Stiefel,
Haluska,	McMenamin,	Sarraf,	Weiner,
Hays,	Miller,	Sesler,	Yatron,
Kalman,			

NAYS—24

Bell,	Fleming,	Mallery,	Taylor,
Berger,	Hawbaker,	Pechan,	Van Sant,
Chapman,	Keller,	Propert,	Wade,
Confair,	Kessler,	Scott,	Wagner,
Ehrgood,	Kromer,	Stevenson,	Ware, III,
Flack,	Madigan,	Stroup,	Wolfe,

Less than a majority of all the Senators having voted "aye," the question was determined in the negative, and the bill was defeated.

ANNOUNCEMENT

Mr. ROONEY. Mr. President, to get on the lighter side for a moment, I would like to announce that in the Professional Golf Association Tournament, Don January was just defeated by Jerry Barber, by one stroke. Don January had a 68 and Jerry Barber had a 67.

The All-Star Game has been called off at the end of nine innings because of rain.

The PRESIDENT. Thank you, Senator Rooney. That information is helpful.

INTERROGATION

Mr. BERGER. Mr. President, I desire to interrogate the gentleman from Northampton, Senator Rooney.

The PRESIDENT. Will the gentleman from Northampton, Mr. Rooney, permit himself to be interrogated?

Mr. ROONEY. Mr. President, in anticipation of the question, the score, at the time the game was called off, was 1-1.

Mr. BERGER. Mr. President, I merely wish to ask the gentleman, if I may, why he told me the score was 1-1 in the tenth inning.

Mr. ROONEY. The game was going into the top of the tenth inning when they called it off.

Mr. BERGER. I thank the gentleman.

HB 1450 CALLED UP

HB 1450 (Pr. No. 2376)—Without objection, the bill, which previously went over in its order, was called up, from page 2 of the Final Passage Calendar, by Mr. WEINER.

BILL ON FINAL PASSAGE DEFEATED

HB 1450 (Pr. No. 2376)—On the question,
Shall the bill pass finally?

Mr. WEINER. Mr. President, I merely wish to state that this bill would allow the sale of alcoholic beverages,

such as beer, at exhibitions which are held in Convention Hall. It would help the city earn some more money. It would also provide a certain revenue to the Commonwealth. It would not be on a regular basis since it would only exist when these exhibitions are held in Convention Hall.

Therefore, Mr. President, I would like all of my colleagues to vote "aye" on this measure.

Mr. BERGER. Mr. President, I cannot tell how much money the city might anticipate making out of this particular type of license. However, I do observe that it must create a new category of liquor licenses, known as municipal liquor licenses. I do not know of any of our municipalities—first, second and third class cities, townships, boroughs or anybody else—which have municipal liquor licenses. I hope the gentleman has included in the bill this new category of licenses for which he is pressing.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—21

Camie!,	Lane,	Mullin,	Silvert,
Devlin,	Mahady,	Murray,	Staisey,
DiSilvestro,	McGinnis,	Ripp,	Stiefel,
Donolow,	McMenamin,	Rooney,	Weiner,
Haluska,	Miller,	Sarra!,	Yatron,
Kalman,			

NAYS—28

Bell,	Hawbaker,	McCreesh,	Stroup,
Berger,	Hays,	Pechan,	Taylor,
Chapman,	Keller,	Propert,	Van Sant,
Confair,	Kessler,	Scott,	Wade,
Ehrgood,	Kromer,	Sesler,	Wagner,
Flack,	Madigan,	Seyler,	Ware, III,
Fleming,	Mallery,	Stevenson,	Wolfe,

Less than a majority of all the Senators having voted "aye," the question was determined in the negative, and the bill was defeated.

THIRD READING CALENDAR

BILLS OVER IN ORDER

HB 1263, 1367, 1377 and 1446—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

BILL ON THIRD READING, DEFEATED ON FINAL PASSAGE

HB 1496 (Pr. No. 1844)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—25

Camie!,	Lane,	Mullin,	Seyler,
Devlin,	Mahady,	Murray,	Silvert,
DiSilvestro,	McCreesh,	Ripp,	Staisey,
Donolow,	McGinnis,	Rooney,	Stiefel,
Haluska,	McMenamin,	Sarra!,	Weiner,
Hays,	Miller,	Sesler,	Yatron,
Kalman,			

NAYS—24

Bell,	Fleming,	Mallery,	Taylor,
Berger,	Hawbaker,	Pechan,	Van Sant,
Chapman,	Keller,	Propert,	Wade,
Confair,	Kessler,	Scott,	Wagner,
Ehrgood,	Kromer,	Stevenson,	Ware, III,
Flack,	Madigan,	Stroup,	Wolfe,

Less than a majority of all the Senators having voted "aye," the question was determined in the negative, and the bill was defeated.

BILLS OVER IN ORDER

HB 1515, 1551 and 1588—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

HB 1616—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILL ON THIRD READING AMENDED

HB 1617 (Pr. No. 2386)—Read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. WEINER, by unanimous consent, offered the following amendments:

Amend Title, page 1, next to last line of Title, by striking out "and".

Amend Title, page 1, last line of Title, by inserting after "vehicles": and providing that persons receiving such plates or markers shall not be relieved from certain taxes

Amend Bill, page 3, by inserting after line 17:

Section 2 The provisions of this act shall not be construed to relieve the person receiving the temporary registration plate or marker certificate of any tax imposed under the provisions of the act of March 6 1956 (P L 1228) known as the "Selective Sales and Use Tax Act"

On the question,

Will the Senate agree to the amendments?

Mr. BERGER. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Weiner.

The PRESIDENT. Will the gentleman from Philadelphia, Mr. Weiner, permit himself to be interrogated?

Mr. WEINER. I will, Mr. President.

Mr. BERGER. Mr. President, if I understood this bill, it was to relieve the person who bought an automobile under such circumstances from having to get license plates. Is that correct?

Mr. WEINER. That is correct, Mr. President.

Mr. BERGER. Mr. President, would these amendments, in any way, change that provision?

Mr. WEINER. No, they would not. These amendments will merely guarantee that the sales tax is paid if, in fact, it is due in this Commonwealth. If, in fact, it is not due in Pennsylvania, it will be paid wherever the tax might fall, depending upon where the person lives.

Mr. BERGER. I thank the gentleman, Mr. President.

And the question recurring,

Will the Senate agree to the amendments?

They were agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. WEINER.

BILLS OVER IN ORDER

HB 1621—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

HB 1678—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

HB 1263 CALLED UP

HB 1263 (Pr. No. 1694)—Without objection, the bill, which previously went over in its order, was called up,

from page 8 of the Third Reading Calendar, by Mr. WEINER.

BILL ON THIRD READING, DEFEATED ON FINAL PASSAGE

HB 1263 (Pr. No. 1694)—Read at length the third time and agreed to,
On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—25

Camiel,	Lane,	Mullin,	Seyler,
Devlin,	Mahady,	Murray,	Silvert,
DiSilvestro,	McCreesh,	Ripp,	Staisey,
Donolow,	McGinnis,	Rooney,	Stiefel,
Haluska,	McMenamin,	Sarra,	Weiner,
Hays,	Miller,	Sesler,	Yatron,
Kalman,			

NAYS—24

Bell,	Fleming,	Mallery,	Taylor,
Berger,	Hawbaker,	Pechan,	Van Sant,
Chapman,	Keller,	Propert,	Wade,
Confair,	Kessler,	Scott,	Wagner,
Ehrgood,	Kromer,	Stevenson,	Ware, III,
Flack,	Madigan,	Stroup,	Wolfe,

Less than a majority of all the Senators having voted "aye," the question was determined in the negative, and the bill was defeated.

HB 1367 CALLED UP

HB 1367 (Pr. No. 2537)—Without objection, the bill, which previously went over in its order, was called up, from page 8 of the Third Reading Calendar, by Mr. WEINER.

BILL ON THIRD READING, DEFEATED ON FINAL PASSAGE

HB 1367 (Pr. No. 2537)—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—25

Camiel,	Lane,	Mullin,	Seyler,
Devlin,	Mahady,	Murray,	Silvert,
DiSilvestro,	McCreesh,	Ripp,	Staisey,
Donolow,	McGinnis,	Rooney,	Stiefel,
Haluska,	McMenamin,	Sarra,	Weiner,
Hays,	Miller,	Sesler,	Yatron,
Kalman,			

NAYS—24

Bell,	Fleming,	Mallery,	Taylor,
Berger,	Hawbaker,	Pechan,	Van Sant,
Chapman,	Keller,	Propert,	Wade,
Confair,	Kessler,	Scott,	Wagner,
Ehrgood,	Kromer,	Stevenson,	Ware, III,
Flack,	Madigan,	Stroup,	Wolfe,

Less than a majority of all the Senators having voted "aye," the question was determined in the negative, and the bill was defeated.

HB 1140 CALLED UP

HB 1140 (Pr. No. 2200)—Without objection, the bill, which previously went over in its order, was called up, from page 2 of the Final Passage Calendar, by Mr. WEINER.

BILL ON FINAL PASSAGE

HB 1140 (Pr. No. 2200)—On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Berger,	Hays,	Miller,	Stevenson,
Camiel,	Kalman,	Mullin,	Stiefel,
Chapman,	Keller,	Murray,	Stroup,
Confair,	Kessler,	Propert,	Taylor,
Devlin,	Kromer,	Ripp,	Van Sant,
DiSilvestro,	Lane,	Rooney,	Wade,
Donolow,	Madigan,	Sarra,	Wagner,
Ehrgood,	Mahady,	Scott,	Ware, III,
Flack,	Mallery,	Sesler,	Weiner,
Fleming,	McCreesh,	Seyler,	Wolfe,
Haluska,	McGinnis,	Shafer,	Yatron,
Hawbaker,	McMenamin,	Silvert,	

NAYS—3

Bell,	Pechan,	Staisey,
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A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Mr. STAISEY. Mr. President, I tried to get to the microphone before the Chair gave the vote on House Bill No. 1140, Printer's No. 2200. I would like to be recorded as voting "no" on this bill.

The PRESIDENT. The vote has been announced, Senator Staisey. It would not, however, make any difference. If it means anything to you, I think we can make you duly recorded as voting "no."

Mr. STAISEY. Mr. President, may the record show that my sentiments are "no"?

The PRESIDENT. Senator Staisey, if you really feel that strongly about it, we will record you as having voted "no."

Mr. PECHAN. Mr. President, I am sure you were not observing me, but I was talking on the telephone during the calling of the roll on House Bill No. 1140. Therefore, if you will be as nice to me as you were to Senator Staisey, I would very much appreciate it if you would also record me as voting "no."

The PRESIDENT. There being no objection, the gentleman will be so recorded. However, this is becoming a little tough on my Calendar.

SB 23 CALLED UP

SB 23 (Pr. No. 154)—Without objection, the bill, which previously went over in its order, was called up, from page 3 of the Third Reading Calendar, by Mr. WEINER.

BILL ON THIRD READING, DEFEATED ON FINAL PASSAGE

SB 23 (Pr. No. 154)—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. WEINER. Mr. President, this bill merely provides for the calling of a Constitutional Convention in Pennsylvania. We have not had a new Constitution in this Commonwealth, nor even anyone to deal with the problem, since 1874.

This is a measure which would call for the appointing of a Constitutional Convention, and the democratic form of the operation of that Convention would then deal with the problems.

As you realize, Mr. President, at this Session and during previous Sessions, we have had myriad bills which have come in that have dealt with constitutional amendments. Each of these amendments takes two Sessions of the General Assembly. They must be in the exact form, exact wording, and exactly the way they passed the previous Session. If even one word is changed or misspelled, there is some question whether this is the exact bill, and it must finally be approved by the electorate after it passes two Sessions. Before we had Annual Sessions, we always had the problem of it running five years before we could make any change in the Constitution. With Annual Sessions, it now takes three years. We feel this is a way to deal with the problems which are presently before us. We have many problems that do not belong in the Constitution; such as the corporation setup, the setting up of profit and nonprofit corporations, all of which are covered in separate codes and legislation which we have set up.

We are, therefore, asking that our colleagues support Senate Bill No. 23 and that the Commonwealth of Pennsylvania have a Constitutional Convention, as set out in this bill. We feel that by doing so, we will not only modernize our Constitution, but we will bring it up-to-date in dealing with the problems which we, as a modern State, face at this time.

Mr. STIEFEL. Mr. President, so as not to be accused of plagiarism, instead of delivering a speech of my own, I am going to read a statement which was prepared by a great Pennsylvanian and a great legal authority, who is none other than the Dean of the School of Law of the University of Pennsylvania, Jefferson B. Fordham.

In a few words, he summarized the need for a new Constitution in Pennsylvania. However, may I say that at the time, in 1874, when the third Constitution of Pennsylvania was promulgated, the people were beset by many problems of corruption in government; such as, you will recall, the Tweed era in New York. That was reflected here in Pennsylvania. Our Constitution is full of statutory provisions to provide against the possibility of corruption. Furthermore, at that time, it was a most violent era when the hinterland of Pennsylvania was opposed to Allegheny and Philadelphia Counties. Therefore, everything was done to militate against Philadelphia and Allegheny Counties.

Many measures, which today would be obviated, stem from the fact that our Constitution is inadequate. For this reason, Mr. President, a new Constitution, which would reflect the needs of the people of Pennsylvania, would be in order. There are many people who are opposed to a new Constitution because it may provide for a graduated income tax. However, this is only a farfetched possibility. The fact is that today, we have many places in our State Government which would be in much better condition if

and when we would have a new Constitution in Pennsylvania.

Doctor Jefferson B. Fordham had the following to say:

"The present Constitution has been a dated instrument from the very time it took effect; it is fraught with ephemeral material.

"The process of piecemeal amendment over the years, instead of serving the function of revision, has aggravated the problem of updating the Constitution as a basic organic instrument. By and large, the amendments which have been adopted have been directed to particular aspects of basic policy or governmental organization and many of them have been detailed and contemporary-minded. The effect has been to render all the more needful a thorough and thoughtful re-examination of the whole ground, with a view to making the Constitution a basic flexible charter of government within the framework of which the Commonwealth can move to discharge its just responsibilities in the total governmental scheme of things. To put the matter a little differently, we find no basis in experience for supposing that general revision can be accomplished piecemeal."

Mr. President, even in our own practices here in the legislative halls of Pennsylvania, one person, by getting up and objecting to certain edicts, may stymie all the processes of legislation. The time is at hand when we have to prepare and promulgate a thorough, updated—and in line with the present needs of Pennsylvania—new Constitution.

Mr. BELL. Mr. President, I rise to oppose this bill for several reasons.

One reason is that an amendment was submitted to this bill, after it was initially introduced, which would give to the President pro tempore of the Senate and to the Speaker of the House of Representatives, each, five personal appointees to this convention. No place in this bill does it say that they shall come from both political parties. I am not naive in politics. I will say that this would give to the Party which controls the House and the Senate ten committed delegates. They would be committed because they will be from the same political party which controls the two houses.

Next,—and this is very important—the convention is supposed to submit to the people a proposed new Constitution. It is to be voted upon, as I recall, on the third Tuesday of February, 1963. All of us in this Chamber are a little bit politically experienced. We know very well how hard it is to turn the electorate out, even for a General Election. You are going to have a Special Election on this in the third week of February. Speaking from a practical point of view, this means that those who turn out to vote will perhaps be thirty or thirty-five per cent of the voters, at the most. I do not think that is right.

Finally, if we call a Constitutional Convention at this time, you will see flocking to Harrisburg, or wherever the convention is held, all of the legislative engineers and representatives of the special interest groups. They readily can get together and confederate and push through things in this new Constitution which would be harmful to the people of Pennsylvania. Who is going to be up there fighting for the people of Pennsylvania? Who is going to represent them as their legislative engineers? I say that with this type of a Constitutional Convention, they will be opening Pandora's box.

Mr. President, I do not concur with the learned Dean

of the Pennsylvania Law School. I heard him speak at one of the public meetings, when he took the attitude that anything that is old is no good except the Constitution of Alaska, which is a wonderful one. I do not believe in that type of thinking. There are many basic laws which govern our living which are very old. I could wave the Bible and refer to the Ten Commandments. I could refer to many of the other basic laws which are old, and they are good.

I vigorously oppose this concept of calling a Constitutional Convention which will have ten committed votes, and a Constitutional Convention that will submit a proposed Constitution at a Special Election, to be held in the month of February.

Mr. MAHADY. Mr. President, my learned colleague, Senator Bell, stressed two things in his argument for voting "no," and both of them come down to the point of a fear of the people or rather a nontrusting of what the people are likely to do. I, for one, have a lot of faith in the people. I think sometimes they are smarter than the people they send down here to represent them, and that includes myself.

Speaking practically, as a practical political matter, people go to the polls usually to vote "no" or against something rather than for something. Running a Special Election gives an advantage to those people who oppose.

Let us return to the fact that we held extensive hearings. We sat in Pittsburgh, Harrisburg and Philadelphia. Only one person spoke against a Constitutional Convention. We had the Deans of all of the Law Schools in attendance. We had an outstanding Republican and Constitutional lawyer, who is recognized as such, appear before the Committee. His name is John Buchanan. He came to Pittsburgh and he described this not as a Constitution, but as a great piece of legislation. It has more "don'ts" in it than it has "do's." It is a Constitution of "don'ts." That was agreed to in all of the testimony. In all of the testimony, one thing was pointed out, and that is the opponents of this measure all agreed that a new Constitution was necessary but they feared an income tax.

We are going to elect by Congressional Districts two members to this Convention, and those people will be chosen by the people. Those people can keep the same clause they now have in the Constitution which prohibits an income tax, if they so desire and that is the will of the majority. The question of what this Constitutional Convention will do is being predetermined by those who would like to have it killed.

The last time a new Constitution was put to a vote of the people,—and many of the people who testified referred to this—during the last week, vested interests spent thousands of dollars in newspaper ads alone to kill, by misrepresentation, the Constitution that had been worked out.

The question comes down to this: It has been labeled a Constitution of "don'ts" and a piece of legislation rather than a Constitution. The authorities all agree to this. Everyone agrees that we need a change.

Now we are permitting the fear of an income tax, which may or may not be the outcome of the work of these people, to influence our consideration of this matter. Why not vote on the fear of an income tax at the time we adopt the Constitution? However, let us not prohibit the study and development of a new Constitution.

Suppose, suppose—we can suppose anything. It is a question of what will happen. If the people think of what is liable to happen at the time they select their delegates, they will give to this State a new and an up-to-date Constitution; a Constitution under which we can work.

I submit to you, Mr. President, that we are not working under the Constitution of Pennsylvania today. We are using Authorities; Authorities which are increasing our taxes because the people who are spending our money are not responsible to the people, and they cannot be removed from office by an election if the people do not agree with them. As a result, they are creating bond issues of up to one hundred years in length, because an Authority cannot be dissolved as long as there is a single outstanding bond existing in that Authority. For most legislation, we can say: "This Act is repealed." However, we cannot repeal an Authority Act as long as one bond is outstanding. This, in itself, without the fact that it is removed from responsibility to the people, is enough to call a Constitutional Convention.

I submit to you, Mr. President, that I can point even in this Capitol to the Office of Administration, which normally would have required a constitutional amendment. However, it was necessary, and we did it.

Mr. President, I stood on this floor when a piece of legislation was passed by this Senate in this Session when we tried to do something which the people, under the Constitution, had refused to do. We tried to give relief to the school districts. When we tried to amend the Constitution, the people said "No." However, we passed legislation here in the Senate saying: "Yes, and to all practical intents we do not care about the Constitution."

I could go on and give example after example where we are deliberately ignoring the Constitution of Pennsylvania because we say to ourselves—and honestly say to ourselves—that it is outgrown, it is outmoded, and it is inadequate.

For this reason, I ask everyone, from the fairness of their conscience, from the deepness of their heart, and for the consideration of the progress of Pennsylvania, to vote "aye" on this legislation.

Mr. FLEMING. Mr. President, in 1957 we created in the General Assembly a Constitutional Revision Commission, which met in the year 1958 and submitted its report to the General Assembly in 1959.

I had the honor and privilege of serving on that Commission and certainly, excepting myself,—and I do want to except myself from my analysis of the membership of that Commission—I have never seen a body of men and women more capable of dealing with the problem, or any commission or committee that dealt more capably with it. We had, as heads of that Commission, two of the most outstanding authorities on the Pennsylvania Constitution and on constitutional law as I have ever met in my lifetime. They were former Chief Justice Stern and Judge Robert Woodside, of Dauphin County.

The Commission deliberated long on whether or not we would recommend a Constitutional Convention, and as late as 1958, by a majority vote of that Commission, we recommended to the General Assembly that a Constitutional Convention not be called and that revisions to the Constitution be submitted by specific amendment.

At that time, we issued a report,—a copy of which was sent to every Member of the General Assembly, and

copies were made available to all interested parties—in which I believe there were twenty-one major amendments recommended, several of which were acted upon in the 1959 and 1961 Sessions of the General Assembly. Many of them were not acted upon.

However, I want to say to the Membership of this Senate that in both the House and the Senate, every major recommendation of the Commission was submitted in the form of a Constitutional amendment. For reasons best known to themselves and for reasons with which I have no quarrel, the Members of the respective committees in the House and in the Senate did not release them to the floor of the respective houses for a vote. However, that was the prerogative of the Members of the General Assembly.

I think, at this date, we can well follow the suggestions of the Commission on Constitutional Revision, and get through some of the amendments that were recommended.

The previous speaker, for whom I have a high regard, Senator Mahady, spoke about the inroads that Authorities have made on constitutional government, and with that I am in thorough accord. However, I would remind the gentleman that in both the House and the Senate, we had an amendment to the Constitution which would clearly take care of that, and, for some reason, the General Assembly, in its wisdom, did not see fit to pass the measure and have it submitted to the voters for a vote.

I would also call to the attention of the Members of the Senate that on several occasions a Constitutional Convention has not been approved in the Commonwealth of Pennsylvania, and in my time of service here,—and I am not quite sure of the date, but I know it would have to be within the last ten or twelve years—there was submitted to the voters of Pennsylvania the question of whether or not we should call a Constitutional Convention. It was overwhelmingly defeated by the voters of Pennsylvania. I would predict the same fate for a new Constitution, if it were to be submitted again.

I would say to the Members of this Senate that the wise course for us to take would be to submit—even though it may take just a little longer—the amendments that we think are necessary to bring about a better type of government in Pennsylvania. I think we have a fine document at the present time. I think if some of the amendments were enacted, we would have to go a long way to operate under a finer Constitution in Pennsylvania.

Mr. SESLER. Mr. President, I cannot hope to equal the eloquence or the knowledge of my esteemed and learned colleague from Westmoreland County. However, I deem it a real privilege to have the opportunity to speak on what I consider will be one of the most important pieces of legislation which will ever come before me while I am in the Senate during my first term.

I wish in a way I would have had an opportunity to prepare more carefully. Unfortunately, we were not aware of the fact that the bill would be called before us today.

However, I do feel, without a doubt, that this legislation is imperative and absolutely necessary if we are to improve and remodify our government here in the Commonwealth of Pennsylvania. We can discuss many aspects of the present Constitution. However, what it comes down to, basically, is whether or not this Senate is prepared to allow the people of Pennsylvania to have placed before them a new Constitution, drawn in the light of our needs

today; a Constitution which will consider the fiscal policies that have to be reviewed, and a Constitution that is going to outlaw and throw out some of these outmoded amendments that date back for eighty-six years.

Gentlemen, let us talk about amendments. You know, we had a Constitution first in 1776, and our people saw fit to draw a new Constitution in 1790. Then only forty-eight years later, they drew up a new Constitution in 1838. They were not content with that because thirty-nine years later, they drew up another Constitution in 1874. Since that time, we have page after page of amendments which have been passed until this Constitution has become a patchwork.

We have many examples of this outmoded Constitution; one of the most important being our debt limit, which has forced us into this evil of Authority financing. The League of Women Voters, for example,—which is probably one of the most informed groups of our citizens and which has no ax to grind and represents no private interests—has urged from the beginning the calling of this new Constitutional Convention.

The question is whether or not we want oligarchy; whether we are afraid to take it to the people and go out and say to the people: "This is a new Constitution. Let us explain it to you in all good faith and then you vote whether you want it or not."

It is for you gentlemen on the other side of the aisle to decide whether or not we should have this new Constitution. You should weigh this matter carefully in your conscience. It is not a question of whether or not we may enact an income tax or whether we might abolish the minor judiciary. It is a question of whether or not we are prepared to face the future, with the full responsibility and trust that our people in this Commonwealth can govern themselves wisely.

If any of you believe at all that this Commonwealth can be governed by its people, then you should have no real and valid objection to the passage of this legislation. If you are sincere in the belief that the people—all of the people, each and every one—can consider this, then vote for it. If you think not, then vote against it.

As to the last speaker's statement in regard to the testimony of experts, I believe that one of the foremost experts is Chief Justice Horace Stern. My impression is that at the last hearing held on this bill, Chief Justice Stern came before that Committee and urged the enactment of a new Constitution.

I will not go into the technicalities of a new Constitution. We could stand here for hours and talk about the defects and the patchwork of this Constitution. We need a new Constitution, and we need it this year. We will need it next year and two years from now. We have got to start today to do it. I think we should take this into serious consideration and be willing to face the fact that the people can make a new Constitution. I urge you all to give it serious consideration. Let us not vote as Party people. Let us vote as public servants. As a public servant, I want a new Constitution and I hope we have a new Constitution.

Mr. SILVERT. Mr. President, Senator Fleming mentioned that in 1957, we had appointed a commission to study the question of constitutional revision and that this commission, consisting of fifteen members, met. He failed to mention, however, that under the power of appoint-

ment, the President pro tempore of the Senate appointed five, the Speaker of the House appointed five, and the Governor named five. It so happened that in 1957, Governor Leader was a Democrat. Senator Taylor was, and still is, a Republican. The Speaker of the House was a Republican. Therefore, the line-up was ten to five on this commission.

I recall that it was just about two or three months ago when I attended a hearing in Philadelphia on this question of a Constitutional Convention. I want to say that Senator Fleming was absolutely right when he said that one of the leaders was Justice Horace Stern. Although the gentleman is past eighty years of age,—he might be close to Senator Taylor's age—his mind is just as keen today as—

Mr. TAYLOR. Mr. President, what is wrong with that?

Mr. SILVERT. If you will just listen, Senator Taylor, I was going to say that his mind is just as keen today as is yours. Although he is a Republican, Justice Stern expressed the opinion that our Constitution has been patched, repatched and double-patched so many times that it is time we had a new Constitution. He, although a Republican, expressed himself in favor of a new Constitution.

I just want to say a few more words and then I will stop.

Both of the colleagues on my side stated that perhaps what is in back of the oppositon to a Constitutional Convention is an income tax. They did not mean that. I am sure what they had in mind is not an income tax, because we can impose an income tax today. Of course, they had in mind a graduated income tax. I want to say to the Members of this Senate that if we are going to face up to the responsibilities of this Commonwealth on the question of education, the time is coming when we must have another broad based tax. We cannot depend on the sales tax alone. An income tax, without graduation, would punish the working people too much. Unless we are in a position in Pennsylvania to be able to vote for a graduated income tax, we are going to be faced in the next few years with an insoluble problem on the question of education.

Mr. MULLIN. Mr. President, I read the History of the bills and, in this Session alone, there are forty-three House Bills providing for Constitutional amendments. Today, in the Senate, there are forty-five Senate Bills. This makes a total of eighty-eight proposals to amend the Constitution of Pennsylvania. Some of them, no doubt, are duplications.

However, Mr. President, the Constitution should be a simplified document and one which should not require amending every so often. It should be one which is flexible, one which can be of service to the people of Pennsylvania, and one which would permit this Commonwealth to be governed properly, without resorting to continuous amendments.

During every Session since I have been up here, since 1955, there have been constitutional amendments passed and placed on the ballot. One or two will probably be put on the ballot in November. I do think we are entitled to one Constitutional Convention.

I was very much amazed when I saw the puny report which came out of that so-called brilliant Constitutional

Revision Commission. If any mountain groaned and brought forth a mouse, it was that commission. They absolutely did nothing to correct the situation in so far as the Constitution of Pennsylvania is concerned. They did not even appropriate sufficient funds to allow it to function as a Constitutional Revision Commission. I remember when they cut down the requested appropriation from \$275,000 to approximately \$25,000, or perhaps \$50,000. I do not think that was a decent and fair attempt to bring about a revision of the Constitution.

Naturally, we do want a Constitution. I think we should all work together in order to see that we have the best Constitution of any State in the Union. That is what we aim for and I think we should get it.

Mr. HAYS. Mr. President, since one of the mountaineers who brought forth this Constitutional Revision Report is a constituent of mine, I think I should bring his activities up-to-date.

It is true what Senator Fleming said; that a majority of the committee, in 1957 or 1958, agreed they would not call a special Constitutional Convention. However, it was my privilege to be in attendance at the hearing held in Harrisburg by Senator Mahady's committee. I recall, at that time, the constituent to whom I refer, Doctor Nelson McGeary, came before Senator Mahady's committee and testified that although he voted in 1957 or 1958 in opposition to calling a Constitutional Convention, he now, after further deliberation, believed that a Constitutional Convention should be called. He came to testify in support of Senate Bill No. 23.

Mr. BERGER. Mr. President, I only want to speak very briefly on this question.

I wish to call the attention of the Members of the Senate to the fact that the Constitution of the United States, which is probably the greatest living document for the government of people ever devised or conceived, went into effect in March of 1789. Since that time, Mr. President, it has served as the foundation of our Federal Government. When it has needed revision, it was sent to the various Legislatures and to the people and has been amended in the respects in which it was found to be necessary.

Mr. President, the Constitution is the basic law of the land and of the State. It is something that is not to be lightly altered or changed, either in its entirety or in part. There is no fear as far as I am concerned—and I believe I speak for every man in this Senate—regarding the people and their ability to govern themselves.

However, Mr. President, we are living in parlous times. A great many things which ordinarily would be carefully and maturely considered might be too hastily—and by way of expedience only—adopted and made into a basic law which would require a tremendous amount of effort and almost, possibly, an impossibility to alter or to amend.

Mr. President, I believe the recommendations made by the Commission on Constitutional Revision are sound. I believe the method by which our Constitution—our basic law, our Bill of Rights—can be changed or altered should be by amendments submitted in series to the people. There is no question, Mr. President, that this will provide a much sounder method for consideration of this tremendous question than the calling of a Constitutional Convention, as provided by this bill.

To go further, Mr. President, if we wish to test the sentiment of the people on the matter of holding a Consti-

tutional Convention, we can easily pass a bill which will submit the question to the people as to whether or not they want a Constitutional Convention called and the machinery, if the vote should be favorable in that respect, for a Constitutional Convention can then be set up by the Legislature in accordance with the wishes of the people. However, simply by legislative action, to call into being a convention for the drafting of a constitution, I do not believe is the way in which it should be done at this time.

Mr. WEINER. Mr. President, I do not wish to burden the record or take undue time, but I think the record should clearly state what the basic issue is. I have heard all these people speak about it. Some spoke very eloquently and very logically. However, I think if we are going to be candid about this situation, I believe we should get right to the heart of the matter.

The reason why we do not hold a Constitutional Convention in Pennsylvania is because people are very frightened that we will take up the problem of an income tax. This is the heart of the entire story. If we could guarantee, in this Chamber or any place else, that you would not take this up as part of the Convention, I think you would have no difficulty, regardless of who appointed, how many were appointed, who the people were, or what part they were going to play in this.

We have arrived at a point in Pennsylvania where the continued burden of taxation is being placed on the same people over and over again. To my mind, an income tax is a fair way of financing government. It puts the burden upon those who are able to pay in the proportion that they can pay.

Also, I think one of the basic problems which you have is that this unwieldy document—you must bear in mind that the Constitution of the United States has been in existence almost 185 years. The time it took to write it, the people who thought about it and the bringing it into being, actually amounts to about 175 years. Prior to that, however, there was quite a bit of discussion. If you will look through the documents and letters, you will see that many people had many of these programs in mind and they finally wound up in this instrument. This is rather a tight instrument and approximately only twenty-two amendments have been made to it. Those amendments are basically—the heart of the amendments or half of them—the Bill of Rights or basic concepts which people have lived with and found, through experience, that they should protect themselves against any sort of tyranny.

This document which we have in the Commonwealth of Pennsylvania is a rather unwieldy one. It goes all the way from whether people should have passes to ride on the railroads down to whether a corporation should have X or Y number of directors or stockholders or shareholders. This does not belong in a constitution. It is not part of it and it should not be part of it, as of this date and this time.

Having laid that down, I think the gentlemen on both sides of the aisle—and I can only speak for the gentlemen on this side of the aisle, with whom I have talked rather closely about it—ought to search their conscience and find out whether we should address ourselves to the problem which is very basic, and that is this: How are we going to continue to finance education? How are we going to continue to finance the programs in this Com-

monwealth? If we do not have the means with which to do it and we do not want to face up to these problems,—regardless of the patchwork and continued patching of the same kind of document which we have been doing—we will end up in the same place we end in every Session, and that is by having to find more taxes and going back to the same people over and over again in order to ask for more and more money. I think we should face this problem squarely. We should have a Constitutional Convention convene and deal basically with this problem.

Mr. BERGER. Mr. President, very briefly, I cannot agree with the gentleman that the fear of an income tax is the barrier to a Constitutional Convention in any respect. As a matter of fact, what was suggested here by Senator Fleming and by myself can still be effective. If it is the sentiment of the Members of the Legislature to place the question of an income tax upon the ballot, the people can decide that question.

I believe, Mr. President, that it is because of a very deep-seated reluctance on the part of a great, great many people to tinker with the basic law of the Commonwealth of Pennsylvania, rather than anything else, which stands in the way of a Constitutional Convention.

If the people, however, do want a Constitutional Convention, that question should be an can be decided by the people.

Mr. MAHADY. Mr. President, I cannot but forebear to answer our very learned Minority Leader, for he normally produces arguments which are hard to answer.

However, in his comparison of the Constitution—and may I state of the Commonwealth of Pennsylvania rather than the State of Pennsylvania—to the Federal Constitution, we must realize that we granted specific powers to the Federal Government. All other powers were reserved to the people. Now the people, in turn, gave to the State Government all powers, but they reserved a few safeguards for themselves. That is a normal State or Commonwealth Constitution.

May I say to you, Mr. President, that everyone who is an authority on constitutional laws not only draws the analogy that I just drew, but they add to it the fact that a constitution is basic principle alone, and not legislation. Admittedly, we have a good piece of legislation in this Commonwealth, but we do not have a constitution. If we had a declaration of policy and a declaration of basic rights and stopped there, we would say this is a lasting accomplishment.

I say to you again—and I repeat—that it is but legislation. As one of the witnesses at the hearing well put it when he referred to the television program "The Rebel," in 1874,—which is the same time period represented by "The Rebel"—when people were riding horses and chasing Indians over muddy roads, and doing all of the other things we think of as being outmoded, you did not pass a constitution of fundamental principles and concepts, but rather you passed a series of "don't" statutes and statutes which limit you.

If we are to become the leading Commonwealth or State of tomorrow, we must have a document which contains only fundamental principles and the ability to act as the occasions arise and to meet the necessities of tomorrow. We must not be bound by legislation which is called a constitution. We must be free to legislate. Above all, we must come back to the fundamental concept that

we believe the people themselves are fit to govern themselves and speak for themselves, and they are to be trusted to speak for themselves, even though it be through their representatives.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—25

Camiel,	Lane,	Mullin,	Seyler,
Devlin,	Mahady,	Murray,	Silvert,
DiSilvestro,	McCreesh,	Ripp,	Staisey,
Donolow,	McGinnis,	Rooney,	Stiefel,
Haluska,	McMenamin,	Sarraf,	Weiner,
Hays,	Miller,	Sesler,	Yatron,
Kalman,			

NAYS—23

Bell,	Hawbaker,	Pechan,	Van Sant,
Berger,	Keller,	Propert,	Wade,
Chapman,	Kessler,	Scott,	Wagner,
Confair,	Kromer,	Stevenson,	Ware, III,
Ehrgood,	Madigan,	Stroup,	Wolfe,
Fleming,	Mallery,	Taylor,	

Less than a majority of all the Senators having voted "aye," the question was determined in the negative, and the bill was defeated.

INTERROGATION

Mr. WEINER. Mr. President, I desire to interrogate the gentleman from Potter, Senator Berger.

The PRESIDENT. Will the gentleman from Potter, Mr. Berger, permit himself to be interrogated?

Mr. BERGER. I will, Mr. President.

Mr. WEINER. Mr. President, on page 7 of today's Calendar, House Bill No. 1190, Printer's No. 2420, I believe the gentleman asked for this bill to go over in its order. Will the gentleman please advise when we might work on this legislation, as we have I believe cleaned off quite a bit of legislation here today, and this bill has been on the Calendar for sometime?

Mr. BERGER. Mr. President, I will be delighted to inform the gentleman. House Bill No. 1190 provides that all mutual insurance companies shall make uniform reports and classified accounts and records.

Mr. President, there is no objection to that whatsoever, except the smaller mutual insurance companies would have to file the same type of reports and records that the larger ones would file with the Insurance Department.

I hope, Mr. President, that we can work out something whereby this particular burden can be modified. Probably they would not be able to do it properly if they were required to file those long reports for the reason that they are small businesses. They do not have paid bookkeepers and accountants. They have to work their affairs pretty nearly by their board of directors and by their officers. They do not have agents, excepting as their officers may be agents.

Consequently, Mr. President, in order to protect that type of company, I believe something should be worked out whereby they would be excused or the requirements modified as far as those companies are concerned. I would hope to have something worked out possibly by tomorrow or possibly by Monday, at which time this bill can be disposed of. It is on the Third Reading Calendar, but it is a House Bill and I am not sanguine enough to believe

that we are going to find ourselves released from the Session of 1961 much before the week after next.

The PRESIDENT. At this time, the Chair turns the gavel over to the distinguished gentleman from Allegheny, Senator Ripp, to preside.

The PRESIDING OFFICER (Joseph D. Ripp) in the Chair.

BILLS INTRODUCED AND REFERRED

Messrs. SILVERT and WEINER, by unanimous consent, presented to the Chair **SB 889**, entitled:

An Act amending the act of April 12, 1917 (P. L. 55), entitled "The Uniform Limited Partnership Act," defining person to include individuals, partnerships, corporations and other associations.

Which was committed to the Committee on Judiciary General.

Messrs. LANE, WEINER, PECHAN, BELL and SESLER, by unanimous consent, presented to the Chair **SB 890**, entitled:

An Act amending the act of July 7, 1957 (P. L. 557), entitled "Veterans Preference Act of 1957," extending eligibility for military leave of absence to times of emergency proclaimed by the Governor.

Which was committed to the Committee on Military Affairs and Aeronautics.

SB 351 CALLED UP

SB 351 (Pr. No. 370)—Without objection, the bill, which previously went over in its order, was called up, from page 4 of the Third Reading Calendar, by Mr. WEINER.

BILL ON THIRD READING AND FINAL PASSAGE

SB 351 (Pr. No. 370)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. EHRGOOD. Mr. President, I desire to be recorded as voting "no."

The PRESIDING OFFICER. The gentleman will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—26

Bell,	Lane,	Murray,	Stiefel,
Camiel,	Mahady,	Rooney,	Van Sant,
Devlin,	McCreesh,	Sarraf,	Ware, III,
DiSilvestro,	McGinnis,	Sesler,	Weiner,
Donolow,	McMenamin,	Silvert,	Yatron,
Haluska,	Miller,	Staisey,	Ripp,
Kalman,	Mullin,		Presiding Officer

NAYS—22

Berger,	Hawbaker,	Mallery,	Stroup,
Chapman,	Hays,	Pechan,	Taylor,
Confair,	Keller,	Propert,	Wade,
Ehrgood,	Kessler,	Seyler,	Wagner,
Flack,	Kromer,	Stevenson,	Wolfe,
Fleming,	Madigan,		

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SB 811 CALLED UP

SB 811 (Pr. No. 1057)—Without objection, the bill, which previously went over in its order, was called up, from page 6 of the Third Reading Calendar, by Mr. WEINER.

BILL ON THIRD READING AND FINAL PASSAGE

SB 811 (Pr. No. 1057)—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—32

Berger,	Kalman,	Miller,	Stalsey,
Camiel,	Keller,	Mullin,	Stiefel,
Chapman,	Lane,	Murray,	Taylor,
Devlin,	Mahady,	Pechan,	Van Sant,
DiSilvestro,	Mallery,	Rooney,	Ware, III,
Donolow,	McCreesh,	Sarrafi,	Weiner,
Ehrgood,	McGinnis,	Scott,	Yatron,
Haluska,	McMenamin,	Silvert,	Ripp,
			Presiding Officer

NAYS—16

Bell,	Hawbaker,	Propert,	Stroup,
Confair,	Hays,	Sesler,	Wade,
Flack,	Kessler,	Seyler,	Wagner,
Fleming,	Madigan,	Stevenson,	Wolfe,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SECOND READING CALENDAR

BILL OVER IN ORDER

HB 36—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILL RECOMMITTED

HB 156 (Pr. No. 156)—Upon motion of Mr. WEINER, seconded by Mr. LANE, and agreed to, the bill was recommitted to the Committee on Local Government.

BILL REREFERRED

SB 168 (Pr. No. 174)—Upon motion of Mr. WEINER, seconded by Mr. LANE, and agreed to, the bill was referred to the Committee on Appropriations.

BILL ON SECOND READING

HB 38 (Pr. No. 2004)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

HB 320 (Pr. No. 1471)—The first section was read.

On the question,

Will the Senate agree to the section?

Mr. STEVENSON offered the following amendment:

Amend Sec. 1 (Sec. 3), page 2, line 14, by inserting after "or": if an actuarial study of the cost shows that much reduction in age is feasible.

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. STEVENSON.

BILL OVER IN ORDER

HB 337 (Pr. No. 2524)—The bill was read.

On the question,

Will the Senate agree to the bill on second reading?

Mr. HAWBAKER offered the following amendments:

Amend Sec. 5, page 8, line 10, by inserting after "Orders": (a)

Amend Sec. 5, page 9, by inserting between lines 14 and 15: (b) The Secretary shall not issue any marketing order relating to apples sold exclusively for processing purposes

On the question,

Will the Senate agree to the amendments?

Mr. WEINER. Mr. President, we oppose the amendments offered to House Bill No. 337, Printer's No. 2524, because we feel this will impair the effectiveness of the bill, and will not aid in the promotion of the product being spoken of in this measure.

Therefore, I ask my colleagues to vote "no" on these amendments.

And the question recurring,

Will the Senate agree to the amendments?

A voice vote having been taken, the question was determined in the negative and the amendments were defeated.

And the question recurring,

Will the Senate agree to the bill on second reading?

Mr. BERGER. Mr. President, I request that House Bill No. 337 go over in its order.

The PRESIDING OFFICER. There being no objection, the bill will go over in its order.

BILL RECOMMITTED

SB 348 (Pr. No. 367)—Upon motion of Mr. WEINER, seconded by Mr. LANE, and agreed to, the bill was recommitted to the Committee on Judiciary General.

BILLS OVER IN ORDER

SB 363—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

SB 375—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILL ON SECOND READING

SB 413 (Pr. No. 445)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

SB 473—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILL ON SECOND READING

HB 564 (Pr. No. 609)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

HB 573 and **SB 598**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

SB 611 and **613**—Without objection, the bills were passed over in their order at the request of Mr. HAYS.

SB 644—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

SB 651—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILLS ON SECOND READING

SB 683 (Pr. No. 796), **SB 702 (Pr. No. 116)**, **SB 750 (Pr. No. 889)** and **SB 755 (Pr. No. 901)**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

SB 791 (Pr. No. 1121)—The first, second and third sections were read and agreed to.

The fourth section was read.

On the question,

Will the Senate agree to the section?

Messrs. BELL and PECHAN offered the following amendment:

Amend Sec. 4, page 5, line 13 by inserting after "policemen": veterans veterans' auxiliaries mothers of persons who died in the Armed Forces of the United States

On the question,

Will the Senate agree to the amendment?

Mr. BELL. Mr. President, this is the solicitation bill and this amendment would exempt veterans, veterans' auxiliaries and Gold Star Mothers.

And the question recurring,

Will the Senate agree to the amendment?

It was agreed to.

The section was agreed to as amended.

The fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth and thirteenth sections and title were read and agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. BELL.

RECONSIDERATION OF SB 702

Mr. WEINER. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 702, Printer's No. 816, passed second reading at today's Session.

The PRESIDING OFFICER. How did the Senator vote?

Mr. WEINER. Mr. President, I voted with the prevailing side.

Mr. LANE. Mr. President, I second the motion.

The PRESIDING OFFICER. How did the Senator vote?

Mr. LANE. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on second reading?

Mr. WEINER offered the following amendments:

Amend Sec. 1 (Sec. 1), page 6, line 6, by striking out the brackets before and after "ten".

Amend Sec. 1 (Sec. 1), page 6, line 6, by striking out "fifteen".

They were agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. WEINER.

SECOND READING CALENDAR

BILLS OVER IN ORDER

SB 801 and **806**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

HB 826 and **SB 828**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

BILLS ON SECOND READING

SB 843 (Pr. No. 1043) and **SB 861 (Pr. No. 1095)**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

SB 865—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILL ON SECOND READING

SB 867 (Pr. No. 1122)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

SB 871 (Pr. No. 1108)—The first section was read.

On the question,

Will the Senate agree to the section?

Mr. KELLER offered the following amendments:

Amend Sec. 1 (Sec. 6), page 4, line 18 by striking out "under" and inserting: and continue to take into consideration the value of property as indicated by the use of said permanent system of records cost charts and land values applied on the basis of zones and districts as well as the price for which property would bonafidely sell in accordance with

Amend Sec. 1 (Sec. 6), page 4, line 20 by inserting after "Law": as amended

They were agreed to.

The section was agreed to as amended.

The second section and title were read and agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. KELLER.

BILL OVER IN ORDER

SB 875—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILL ON SECOND READING

HB 1081 (Pr. No. 2243)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

HB 1085, 1124 and **1125**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

HB 1217—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILL ON SECOND READING AMENDED

HB 1220 (Pr. No. 2475)—The first section was read.

On the question,

Will the Senate agree to the section?

Messrs. KELLER and STROUP offered the following amendments:

Amend Sec. 1, page 2, lines 1 and 2, by striking out "the first paragraph of section 1 the description of Tract IV in".

Amend Sec. 1, page 2, line 2, by inserting after "1": section 2

Amend Sec. 1 (Title), page 2, line 13, by inserting brackets before and after "153.91" and inserting immediately thereafter: 80.39

Amend Sec. 1 (Title), page 2, line 14, by striking out "four".

Amend Sec. 1 (Sec. 1), page 3, line 8, by inserting brackets before and after "four" and inserting immediately thereafter: three

Amend Sec. 1 (Sec. 1), page 3, line 8, by striking out "four".

Amend Sec. 1 (Sec. 1), page 3, lines 13 to 19; page 4, lines 1 to 20; page 5, lines 1 to 20; page 6 lines 1 to 20; page 7, lines 1 to 19; page 8, lines 1 to 20; page 9, line 1, by striking out all of said lines and inserting:

Tract I

Beginning at a point situate 22.20 feet more or less from the Turnpike Center Line Station 278 + 57.6 south 36 degrees 54 minutes 37 seconds west thence from the said point by the following courses and distances which are adjacent to other lands of the Commonwealth of Pennsylvania Department of Property and Supplies (1) north 36 degrees 54 minutes 37 seconds east a distance of 731.71 feet more or less (2) south 81 degrees 40 minutes 2 seconds east a distance of 790.00 feet more or less (3) south 50 degrees 11 minutes 45 seconds east a distance of 149.06 feet more or less (4) north 72 degrees 13 minutes 24 seconds east a distance of 245.68 feet more or less (5) north 58 degrees 34 minutes 5 seconds east a distance of 146.68 feet more or less (6) north 48 degrees 52 minutes 1 second east a distance of 146.71 feet more or less (7) north 33 degrees 48 minutes 56 seconds east a distance of 201.32 feet more or less (8) north 40 degrees 22 minutes 9 seconds east a distance of 151.63 feet more or less thence along the western right-of-way line of Legislative Route 281 by a curve to the left with a radius of 11,519.15 feet an arc distance of 1,580.52 feet more or less thence along lands of the Commonwealth of Pennsylvania now being conveyed to the Pennsylvania Turnpike Commission by the following courses and distances (1) north 73 degrees 34 minutes 5 seconds west a distance of 520.75 feet more or less (2) south 61 degrees 25 minutes 55 seconds west a distance of 7.07 feet more or less (3) north 73 degrees 34 minutes 5 seconds west a distance of 145.01 feet more or less (4) north 28 degrees 34 minutes 5 seconds west a distance of 7.07 feet more or less (5) north 73 degrees 34 minutes 5 seconds west a distance of 361.29 feet more or less (6) north 53 degrees 5 minutes 23 seconds west a distance of 254.95 feet more or less to the point and place of beginning containing 24.605 acres more or less excepting and reserving therefrom all that certain parcel of land bounded and described as follows

Beginning at a point in the northern right-of-way line of the Turnpike said point being normal to and 675 feet distant in a northerly direction from Turnpike Center Line Station 285 + 00 in Bucks County Delaware River Extension and continuing thence along the northern right-of-way line of the Turnpike the four following courses

south 61 degrees 25 minutes 58 seconds west a distance of 106.07 feet to a point thence north 78 degrees 38 minutes 53 seconds west a distance of 225.91 feet to a point thence north 73 degrees 34 minutes 05 seconds west a distance of 100.00 feet to a point thence south 85 degrees 38 minutes 35 seconds west a distance of 32.19 feet to a point common to the Turnpike right-of-way and the Swartz-Commonwealth of Pennsylvania property line thence along the common Swartz-Commonwealth property line north 36 degrees 54 minutes 37 seconds east a distance of 102.60 feet to a common Swartz-Commonwealth corner continuing thence across the Commonwealth's land by other lands of the Commonwealth the following two courses south 81 degrees 40 minutes 2 seconds east a distance of 790.00 feet to a point thence south 50 degrees 11 minutes 45 seconds east a distance of 149.08 feet to a point in the Turnpike northern right-of-way line thence along the Turnpike northern right-of-way line the following five courses south 72 degrees 13 minutes 24 seconds west a distance of 29.99 feet to a point south 84 degrees 37 minutes 50 seconds west a distance of 107.73 feet to a point north 73 degrees 34 minutes 5 seconds west a distance of 100.00 feet to a point north 54 degrees 46 minutes west a distance of 107.73 feet to a point north 80 degrees 41 minutes 35 seconds west a distance of 201.45 feet to the point of beginning containing 1.717 acres more or less

Tract II

Beginning at a point situate 172.34 feet more or less from Turnpike Center Line Station 333 + 92.91 south 62 degrees 3 minutes 8 seconds west said point being the common point of beginning of parcels 2 and 4 and continuing along lands of the Commonwealth of Pennsylvania presently being conveyed to the Pennsylvania Turnpike Commission the following two courses and distances (1) by an arc distance of 155.52 feet more or less in a northwesterly direction with a radius of 2,964.73 feet (2) by a spiral whose chord is north 74 degrees 46 minutes 5 seconds west a distance of 108.00 feet more or less thence along the lands now or formerly of the Commonwealth of Pennsylvania and John W and Edna V Simons the following course and distance (1) south 39 degrees 30 minutes 44 seconds west a distance of 609.63 feet more or less thence along the lands now or formerly of Anthony and Eleanor Pacenski the following courses and distances (1) north 52 degrees 30 minutes 00 seconds west a distance of 872.20 feet more or less (2) south 39 degrees 00 minutes 00 seconds west a distance of 465.30 feet more or less thence along the lands now or formerly of Lewis A Swartz the following course (1) south 38 degrees 14 minutes 24 seconds west a distance of 684.09 feet more or less thence along the lands now or formerly of Louis [Wark] Mark the following two courses and distances (1) north 53 degrees 9 minutes 28 seconds west a distance of 2,340.87 feet more or less (2) north 36 degrees 2 minutes 25 seconds east a distance of 39.61 feet more or less thence along the center line of Township Road 329 and the lands now or formerly of Stanley Q and Freida F Becker and C P and E C Frye the following three courses and distances (1) north 46 degrees 19 minutes 55 seconds east a distance of 734.03 feet more or less (2) north 47 degrees 37 minutes 25 seconds east a distance of 202.34 feet more or less (3) north 52 degrees 22 minutes 25 seconds east a distance of 257.91 feet more or less thence along lands now or formerly of C P and E. C Frye the following course and distance (1) north 48 degrees 34 minutes 31 seconds west a distance of 594.93 feet more or less thence along the eastern right of way line of Legislative Route 281 the following course and distance (1) by an arc distance [1,003.84] 1,003.16 feet more or less in a northeast-

erly direction with a radius of 11,399.15 feet thence along the lands now or formerly of the Commonwealth of Pennsylvania the following four (4) courses and distances (1) south 25 degrees 8 minutes 36 seconds west a distance of 51.01 feet more or less (2) south 35 degrees 33 minutes 22 seconds west a distance of 298.16 feet more or less (3) south 4 degrees 8 minutes 33 seconds west a distance of 228.76 feet more or less (4) south 26 degrees 40 minutes 34 seconds east a distance of 630.59 feet more or less thence along the center line of Township Road 329 and lands of the Commonwealth of Pennsylvania the following two (2) courses and distances (1) north 52 degrees 20 minutes 25 seconds east a distance of 460.34 feet more or less (2) north 61 degrees 35 minutes 25 seconds east a distance of 106.36 feet more or less thence along lands now or formerly of the Commonwealth of Pennsylvania the following two (2) courses and distances (1) south 53 degrees 10 minutes 49 seconds east a distance of 2,842.28 feet more or less (2) by an arc distance of 400.27 feet more or less in a southeasterly direction with a radius of 2,764.73 feet thence along the former center line of Legislative Route 09124 and the lands now or formerly of the Commonwealth of Pennsylvania the following course and distance (1) south 62 degrees 3 minutes 8 seconds west a distance of 334.34 feet more or less to the point of beginning containing 123.38 acres more or less excepting and reserving therefrom however all those five (5) parcels of land described as follows

(1) Beginning at a point which is normal to and 452.8 feet + distant northwardly from Turnpike Centerline Station 299 + 70.3 in Bucks County Delaware River Extension and continuing along the Commonwealth-Frye property line north 48 degrees 34 minutes 31 seconds west a distance of 203.90 feet to a point common with this property line and the easterly right-of-way line of the Turnpike trumpet with U S 1 continuing thence along this easterly right-of-way line the following three courses south 89 degrees 4 minutes 51 seconds east a distance of 5.86 feet to a point north 65 degrees 16 minutes 9 seconds east a distance of 143.94 feet to a point and north 19 degrees 16 minutes 22 seconds east a distance of 220.83 feet to a point common to the easterly right-of-way line of the Turnpike trumpet and other lands of the Commonwealth thence south 26 degrees 40 minutes 34 seconds east a distance of 290.15 feet by other lands of the Commonwealth to a point in the Commonwealth property line in Trevoise Road thence by the Commonwealth's property line in Trevoise Road south 52 degrees 20 minutes 19 seconds west a distance of 236.04 feet to the point of beginning containing 1.287 acres more or less

(2) Beginning at a point which is normal to and 118 feet distant northwardly from Turnpike Centerline Station 297 + 47.3 in Bucks County Delaware River Extension and continuing along the Commonwealth of Pennsylvania's property line in Township Road No 329 also known as Trevoise Road the following two courses north 47 degrees 37 minutes 25 seconds east a distance of 150.49 feet to a point and north 52 degrees 22 minutes 25 seconds east a distance of 257.91 feet to a point common to the Commonwealth's property line and the southern right-of-way line of the access road to the Turnpike's northern service station continuing thence along the southern right-of-way line of the access road the following eight courses south 48 degrees 34 minutes 31 seconds east a distance of 16.50 feet to a point by a curve in a southeasterly direction an arc length of 39.27 feet the radius of said arc being 25 feet to a point south 37 degrees 29 minutes 5 seconds east a distance of 77.24 feet to a point south 52 degrees 30 minutes 55 seconds west a distance of 15.00 feet to a point by a curve in a southeasterly direction

an arc length of 144.39 feet the radius of said arc being 440 feet to a point south 33 degrees 42 minutes 46 seconds west a distance of 20.00 feet to a point by a curve in an eastwardly direction an arc length of 412.86 feet the radius of said arc being 460 feet to a point and north 72 degrees 17 minutes 20 seconds east a distance of 90.99 feet to a point common to the southern right-of-way line of the access road and the northern right-of-way line of the exit ramp to the Turnpike's northern service station continuing thence along the northern right-of-way line of the exit ramp the following six courses by a curve in a southwesterly direction an arc length of 118.14 feet the radius of said arc being 129.63 feet to a point south 16 degrees 25 minutes 55 seconds west a distance of 33.19 feet to a point by a curve in a southwesterly direction an arc length of 151.19 feet the radius of said arc being 279.63 feet to a point by a curve in a northwesterly direction an arc length of 114.10 feet the radius of said arc being 313.07 feet to a point north 75 degrees 51 minutes 34 seconds west a distance of 309.08 feet to a point and north 73 degrees 34 minutes 5 seconds west a distance of 402.70 feet to the point of beginning containing 4.244 acres more or less

(3) Beginning at a point which is normal to and 702.33 feet distant northwardly from Turnpike Centerline Station 312 + 00 in Bucks County Delaware River Extension thence along the Turnpike northern right-of-way line the following fifteen courses south 16 degrees 25 minutes 55 seconds west a distance of 27.33 feet to a point thence north 73 degrees 34 minutes 05 seconds west a distance of 241.95 feet to a point thence by a curve in a westwardly direction an arc length of 133.10 feet the radius of said arc being 375.00 feet to a point thence north 3 degrees 54 minutes 15 seconds west a distance of 10.00 feet to a point thence by a curve in a southwestwardly direction an arc length of 92.78 feet the radius of said arc being 385.00 feet to a point thence south 72 degrees 17 minutes 20 seconds west a distance of 46.32 feet to a point thence north 17 degrees 42 minutes 40 seconds west a distance of 15.00 feet to a point thence south 72 degrees 17 minutes 20 seconds west a distance of 172.38 feet to a point thence by a curve in a southwestwardly direction an arc length of 119.26 feet the radius of said arc being 300 feet to a point thence south 5 degrees 3 minutes 56 seconds west a distance of 20.00 feet to a point thence by a curve in a northwestwardly direction an arc length of 119.63 feet the radius of said arc being 320.00 feet to a point thence south 26 degrees 33 minutes 6 seconds west a distance of 20.00 feet to a point thence by a curve in a northwestwardly direction an arc length of 154.07 feet the radius of said arc being 340.00 feet to a point thence south 52 degrees 30 minutes 55 seconds west a distance of 10.00 feet to a point thence north 37 degrees 29 minutes 5 seconds west a distance of 118.74 feet to a point in Township Road No 329 also known as Trevoise Road continuing thence along the Commonwealth of Pennsylvania property line in Trevoise Road the following three courses and distances north 49 degrees 53 minutes 14 seconds east a distance of 121.02 feet to a point north 52 degrees 20 minutes 25 seconds east a distance of 460.34 feet to a point thence north 61 degrees 35 minutes 25 seconds east a distance of 106.36 feet to a point thence across the Commonwealth lands by a line common to other lands of the Commonwealth south 53 degrees 10 minutes 44 seconds east a distance of 1176.19 feet to a point common to the Commonwealth and the northern right-of-way line of the Turnpike thence by the following three courses along the northern right-of-way line of the Turnpike south 41 degrees 40 minutes 45 seconds west a distance of 20.00 feet to a point thence by a

curve in a northwestwardly direction an arc length of 173.89 feet the radius of said arc being 394.63 feet to a point thence north 73 degrees 34 minutes 5 seconds west a distance of 219.83 feet to the point of beginning containing 9.504 acres more or less

(4) Beginning at a point which is normal to and 100 feet southwardly from Turnpike Centerline Station 323 + 00 in Bucks County Delaware River Extension thence along the Turnpike southerly right-of-way line of the Turnpike south 73 degrees 34 minutes 05 seconds east a distance of 719.43 feet to a point common to the southern right-of-way line of the Turnpike and the property line of the Commonwealth of Pennsylvania thence along the property line of the Commonwealth which is adjacent to the western side of Legislative Route 09124 south 39 degrees 40 minutes 44 seconds west a distance of 609.63 feet to a point common to the Commonwealth and Pacenski property line thence along the Commonwealth-Pacenski property line north 52 degrees 30 minutes west a distance of 872.20 feet to a point thence along the same property line south 39 degrees 00 minutes west a distance of 465.30 feet to a point thence along the common Commonwealth-Pacenski Swartz property line south 38 degrees 14 minutes 24 seconds west a distance of 684.09 feet to a point common to the Commonwealth Swartz and Mark property lines thence along the common Commonwealth-Mark property line north 53 degrees 9 minutes 28 seconds west a distance of 2340.87 feet to a point in Township Road No 329 also known as Trevoise Road said point being common to the Commonwealth Mark and former Becker property lines thence northwardly in Trevoise Road by the common Commonwealth and former Becker property line the following two courses north 36 degrees 2 minutes 25 seconds east a distance of 39.61 feet to a point thence north 46 degrees 19 minutes 55 seconds east a distance of 347.27 feet to a point continuing thence along the Turnpike southern right-of-way line by the following twenty-one courses north 43 degrees 40 minutes 5 seconds east a distance of 16.50 feet to a point thence by a curve in an eastwardly direction an arc length of 54.12 feet the radius of said arc being 40.00 feet to a point thence south 57 degrees 36 minutes 54 seconds east a distance of 55.43 feet to a point thence south 46 degrees 18 minutes 18 seconds east a distance of 101.98 feet to a point thence south 57 degrees 36 minutes 54 seconds east a distance of 730.00 feet to a point thence by a curve in a southeasterly direction an arc length of 364.67 feet the radius of said arc being 364.63 feet to a point thence south 73 degrees 34 minutes 5 seconds east a distance of 75.00 feet to a point thence south 16 degrees 25 minutes 55 seconds west a distance of 15.00 feet to a point thence south 73 degrees 34 minutes 5 seconds east a distance of 135.00 feet to a point thence north 16 degrees 25 minutes 55 seconds east a distance of 50.00 feet to a point thence south 73 degrees 34 minutes 5 seconds east a distance of 125.00 feet to a point thence north 16 degrees 25 minutes 55 seconds east a distance of 60.00 feet to a point thence south 73 degrees 34 minutes 5 seconds east a distance of 100.00 feet to a point thence north 16 degrees 25 minutes 55 seconds east a distance of 20.00 feet to a point thence by a curve in a northeastwardly direction an arc length of 359.84 feet the radius of said arc being 249.63 feet to a point thence north 38 degrees 55 minutes 3 seconds east a distance of 70.81 feet to a point thence by a curve in a northeasterly direction an arc length of 156.91 feet the radius of said arc being 134.53 feet to a point thence 6 degrees 44 minutes 34 seconds west a distance of 20.00 feet to a point thence by a curve in a southeasterly direction an arc length of 123.23 feet the radius

of said arc being 338.07 feet to a point thence south 73 degrees 10 minutes 1 second east a distance of 647.49 feet to a point thence north 61 degrees 25 minutes 55 seconds east a distance of 14.15 feet to the point of beginning containing 43.256 acres more or less

(5) Beginning at a point which is normal to and 100 feet distant northwardly from Turnpike Centerline station 329 + 17 in Bucks County Delaware River Extension thence along the Turnpike northern Right-of-way line the following six courses north 73 degrees 34 minutes 05 seconds west a distance of 667.47 feet to a point thence north 62 degrees 15 minutes 29 seconds west a distance of 50.99 feet to a point thence north 48 degrees 33 minutes 05 seconds west a distance of 165.51 feet to a point thence north 62 degrees 15 minutes 29 seconds west a distance of 203.96 feet to a point thence north 17 degrees 56 minutes 45 seconds west a distance of 106.26 feet to a point thence by a curve in a northwesterly direction an arc length of 468.65 feet the radius of said arc being 414.63 feet to a point common to the right-of-way line of the Turnpike and other lands of the Commonwealth of Pennsylvania continuing thence along other lands of the Commonwealth south 53 degrees 10 minutes 44 seconds east a distance of 1666.09 feet to a point in the northern right-of-way line of the Turnpike thence along the northern right-of-way line of the Turnpike north 74 degrees 13 minutes 46 seconds west a distance of 196.49 feet this line being concentric to and 100 feet distant northwardly from the Turnpike Centerline to the point of beginning containing 7.924 acres more or less

Tract III

Beginning at a point situate two (2) courses and distances away from the Turnpike Centerline Station 278 + 57.6 as follows south 36 degrees 54 minutes 37 seconds west a distance of 22.20 feet more or less and south 53 degrees 5 minutes 23 seconds east a distance of 254.95 feet more or less and continuing thence from said point along the Turnpike's required southern right-of-way line by the following courses and distances (1) south 73 degrees 34 minutes 5 seconds east a distance of 361.29 feet more or less (2) south 28 degrees 34 minutes 5 seconds east a distance of 7.07 feet more or less (3) south 73 degrees 34 minutes 5 seconds east a distance of 145.01 feet more or less (4) north 61 degrees 25 minutes 55 seconds east a distance of 7.07 feet more or less (5) south 73 degrees 34 minutes 5 seconds east a distance of 520.75 feet more or less thence along the westerly required right-of-way line of Legislative Route 281 the following two (2) courses and distances (1) by an arc of 102.66 feet more or less in a southwesterly direction with a radius of 11,519.15 feet (2) south 26 degrees 45 minutes 24 seconds west a distance of 266.05 feet more or less thence along lands now or formerly of Herman Cohean and Jack Berman the Commonwealth of Pennsylvania and the American Standard Corporation the following course (1) north 53 degrees 5 minutes 23 seconds west a distance of 1,037.00 feet more or less to the point and place of beginning containing 4.303 acres more or less excepting and reserving therefrom all that certain parcel of land bounded and described as follows

Beginning at a point in the Turnpike's southern right-of-way line which point is normal to and 125 feet distant southerly from Turnpike centerline Station 281 + 19.5 in Bucks County Delaware River Extension thence along the Turnpike southern right-of-way line south 73 degrees 34 minutes 5 seconds east a distance of 994.08 feet to a point in the western right-of-way line of U S 1 continuing thence along the common Commonwealth U S 1 property line the following two

courses by a curve in a southwesterly direction an arc length of 87.38 feet the radius of said arc being 11,519.15 feet to a point and south 26 degrees 45 minutes 24 seconds west a distance of 266.06 feet to a common point in the Commonwealth of Pennsylvania and Louis Mark property line thence along the Commonwealth-Mark property line north 53 degrees 5 minutes 23 seconds west a distance of 994.14 feet to the point of beginning containing 3.962 acres more or less

[Tract IV

Beginning at a point situate 172.34 feet more or less from the Turnpike Center Line Station 333 + 92.91 south 62 degrees 3 minutes 8 seconds west said point being the common point of beginning of parcels 2 and 4 and continuing along the lands now or formerly of John W and Edna V Simons the following two courses and distances (1) south 61 degrees 4 minutes 4 second west a distance of 469.80 feet more or less (2) south 39 degrees 30 minutes 00 seconds west a distance of 284.40 feet more or less thence along the lands now or formerly of Anthony and Eleanor Pacenski the following course and distances (1) north 52 degrees 30 minutes 00 seconds west a distance of 65.00 feet more or less thence along the lands now or formerly of the Commonwealth of Pennsylvania the following three (3) courses and distances (1) north 39 degrees 30 minutes 44 seconds east a distance of 609.63 feet more or less (2) south 74 degrees 46 minutes 05 seconds east a distance of 103.00 feet more or less (3) south 77 degrees 04 minutes 15 seconds east a distance of 155.50 feet more or less to the point of beginning containing 1.624 acres more or less]

The above [four] three tracts being the same land conveyed to the Commonwealth of Pennsylvania by deed of friends Hospital dated July 22 1949 and recorded in Bucks County Deed Book 911 at page 420

Tract [V] IV

Beginning at or about Station 742 + 92.31 in the Turnpike Center Line said point being 97.76 feet more or less distant therefrom measured at right angles thence south 66 degrees 57 minutes 30 seconds east by the Turnpike southern right-of-way line a line parallel to and the distance of 100 feet from the Turnpike Center Line a distance of 1249.36 feet more or less to a corner common to lands of the Pennsylvania Turnpike Commission and other lands of the within grantor thence south 35 degrees 25 minutes west a distance of 730.27 feet more or less thence north 66 degrees 57 minutes 30 seconds west 378.27 feet more or less to a corner common to lands of the Pennsylvania Turnpike Commission and other lands of the within grantor thence north 22 degrees 06 minutes west a distance of 1008.10 feet more or less to a point in the Turnpike southern right-of-way line said point being opposite at or about Station 742 + 92.31 in the Turnpike Center Line 100 feet distant therefrom measured at right angles thence north 23 degrees 02 minutes 30 seconds east a distance of 2.24 feet more or less to the point and place of beginning containing 13.34 acres more or less

Bounded on the west and north by lands of the Pennsylvania Turnpike Commission on the East and south by other lands of the Commonwealth of Pennsylvania

Being part of the lands formerly of the Somerset County Poor District which became vested in the Commonwealth of Pennsylvania Department of Welfare by the Act of September 29 1938 (P L 53)

The conveyances shall be made under and subject to all easements servitudes and rights of

others including but not confined to streets roadways and rights of any telephone telegraph water electric gas or pipe line companies as well and under and subject to any estates or tenancies vested in third persons whether or not appearing of record for any portion of the land or improvements erected thereon

The Department of Property and Supplies acting through the Secretary of Property and Supplies with the approval of the Secretary of Public Welfare and the Governor is authorized to grant necessary easements in over and through adjoining lands of the Commonwealth for the efficient continued use and maintenance of the lands to be conveyed to the Pennsylvania Turnpike Commission including but not confined to power line easements water line easements easement for relocation of road known as Legislative Route 09124 easement for relocation of Township Road known as T-329 sewer easements easements for water authorities and easements needed by Bensalem Township as well as easements for ditches of Turnpike

The easements granted by the Commonwealth shall contain regulations and prohibitions deemed necessary by the Department of Justice for the use of maintenance repair renewal and reversion thereof for the protection of the Commonwealth and the adjoining lands

Section 2 The deeds of conveyance together with authorized easements shall be approved by the Department of Justice and shall be executed by the Secretary of Property and Supplies in the name of the Commonwealth of Pennsylvania

They were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the Senate agree to the section?

Messrs. KELLER and STROUP offered the following amendment:

Amend sec. 2 (Sec. 3.1), page 10, lines 16 and 17, by striking out "EFFECTIVE DATE OF THIS ACT" and inserting: first day of June 1952

It was agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Messrs. KELLER and STROUP offered the following amendments:

Amend Title, page 1, last line of Title, by inserting after "County": reducing the amount of land which the Department of Property and Supplies is authorized to convey

Amend Title, page 1, last line of Title, by striking out "four."

They were agreed to.

The title was agreed to as amended.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. KELLER.

BILL OVER IN ORDER

HB 1251—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILL ON SECOND READING

HB 1273 (Pr. No. 1469)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

HB 1275, 1276, 1277, 1278, 1279 and 1280—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

HB 1335—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

HB 1427—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILL ON SECOND READING

HB 1500 (Pr. No. 1848)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

HB 1519—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILL RECOMMITTED

HB 1522 (Pr. No. 1878)—Upon motion of Mr. WEINER, seconded by Mr. LANE, and agreed to, the bill was re-committed to the Committee on Local Government.

BILL REREFERRED

HB 1531 (Pr. No. 2546)—Upon motion of Mr. WEINER, seconded by Mr. LANE, and agreed to, the bill was re-referred to the Committee on Local Government.

BILL OVER IN ORDER

HB 1554—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILL ON SECOND READING

HB 1566 (Pr. No. 1967)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

HB 1599—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILLS ON SECOND READING

HB 1609 (Pr. No. 2203) and HB 1652 (Pr. No. 2539)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

HB 1683, 1704 and 1793—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

BILLS ON FIRST READING

Mr. WEINER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

The bills were as follows:

SB 866 and HB 1578.

And said bills having been read at length for the first time,

Ordered, To be laid aside for second reading.

HOUSE MESSAGE

SENATE BILLS RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives being introduced, returned to the Senate, **SB 104, 106, 405, 456, 486 and 716**, with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bills, as amended, will be placed on the Calendar.

COMMITTEES OF CONFERENCE APPOINTED ON SB 312, HB 67 AND HOUSE CONCURRENT RESOLUTION No. 62

The PRESIDING OFFICER. The Chair announces, on behalf of the President pro tempore, the appointment of Committees of Conference on the part of the Senate to confer with similar committees of the House (if the House shall appoint such committees) to consider the differences existing between the two houses in relation to the following bills and resolution:

Senate Bill No. 312—Messrs. CAMIEL, LANE and PROPERT.

House Bill No. 67—Messrs. McMENAMIN, MURRAY and KESSLER.

House concurrent Resolution No. 62—Messrs. CAMIEL, LANE and BELL.

REGULAR ORDER OF BUSINESS RESUMED

The PRESIDING OFFICER. Consideration of today's Calendar being completed, we will now revert to the regular order of business.

EXECUTIVE NOMINATIONS

EXECUTIVE SESSION

A motion was made by Mr. DEVLIN and Mr. STASEY, That the Senate do now resolve itself into Executive Session for the purpose of considering certain nominations made by the Governor.

Which was agreed to.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. DEVLIN asked and obtained unanimous consent for immediate consideration of the nominations made by His Excellency, the Governor, and reported from committee at today's Session.

NOMINATIONS TAKEN FROM THE TABLE

Mr. DEVLIN. Mr. President, I call from the table for consideration the nominations reported from committee today.

The PRESIDING OFFICER. The Clerk will read the nominations.

The nominations were read by the Clerk as follows:

MEMBER OF THE BOARD OF TRUSTEES OF THE PENNSYLVANIA STATE UNIVERSITY

July 24, 1961.

To the Honorable, the Senate

of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mary Jane Wyland, 251 West Park Avenue, State College,

Centre County, for reappointment as a member of the Board of Trustees of the Pennsylvania State University, until July 1, 1964, and until her successor shall have been appointed and qualified.

David L. Lawrence.

MEMBER OF THE BOARD OF TRUSTEES OF
LAURELTON STATE VILLAGE

July 24, 1961.

To the Honorable, the Senate

of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Regie D. Thompson, Millheim, Centre County, for reappointment as a member of the Board of Trustees of Laurelton State Village, until the third Tuesday of January 1963, and until her successor is appointed and qualified.

David L. Lawrence.

MEMBERS OF THE BOARD OF TRUSTEES OF
PHILIPSBURG STATE HOSPITAL

July 24, 1961.

To the Honorable, the Senate

of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Philipsburg State Hospital:

W. Carl Lupton, Philipsburg, Centre County, until the third Tuesday of January 1965, and until his successor is appointed and qualified.

Mrs. Lucy Merrell, Philipsburg, Centre County, until the third Tuesday of January 1965, and until her successor is appointed and qualified.

Thaddeus S. Wayne, Chester Hill, Clearfield County, until the third Tuesday of January 1967, and until his successor is appointed and qualified.

Mrs. Harriet Thompson, 911 Presqueisle Street, Philipsburg, Centre County, until the third Tuesday of January 1967, and until her successor is appointed and qualified.

Miles Clevensine, R. D., Bellefonte, Centre County, until the third Tuesday of January 1967, and until his successor is appointed and qualified.

David L. Lawrence.

MEMBER OF THE FRANKLIN COUNTY BOARD
OF ASSISTANCE

July 17, 1961.

To the Honorable, the Senate

of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Louis S. Dougherty (Democrat), 320 Philadelphia Avenue, Chambersburg, Franklin County, for appointment as a member of the Franklin County Board of Assistance, until December 31, 1962, and until his successor is duly appointed and qualified, vice Joseph W. Spangler, Chambersburg, deceased.

David L. Lawrence.

MEMBER OF THE NORTHUMBERLAND COUNTY
BOARD OF ASSISTANCE

July 24, 1961.

To the Honorable, the Senate

of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Leon

J. Konjura (Democrat), 914 East Race Street, Shamokin, Northumberland County, for appointment as a member of the Northumberland County Board of Assistance, until December 31, 1961, and until his successor is duly appointed and qualified, vice John J. Strausser, Shamokin, resigned.

David L. Lawrence.

On the question,

Will the Senate advise and consent to the nominations?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarraff,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

* EXECUTIVE SESSION RISES

Mr. DEVLIN. Mr. President, I move that the Executive Session do now rise.

Mr. SARRAF. Mr. President, I second the motion. The motion was agreed to.

The PRESIDING OFFICER (Jo Hays) in the Chair.

ANNOUNCEMENTS BY THE SECRETARY

The following announcements were read by the Secretary of the Senate:

COMMITTEE MEETINGS

TUESDAY, AUGUST 1, 1961

Eastern Daylight

Saving Time	COMMITTEE	ROOM
9:00 A.M.	LABOR AND INDUSTRY	535
9:30 A.M.	HIGHWAYS	542
10:00 A.M.	EDUCATION	302
10:30 A.M.	STATE GOVERNMENT	535
10:45 A.M.	MINES AND MINERAL INDUSTRIES	542
11:00 A.M.	LOCAL GOVERNMENT	301
11:30 A.M.	INSURANCE	542

ADJOURNMENT

Mr. WEINER. Mr. President, I move that the Senate do now adjourn until Tuesday, August 1, 1961, at 11:00 a.m., Eastern Standard Time.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 6:35 p.m., Eastern Standard Time.

Legislative Journal.

Session 1961.

145th of the General Assembly.

Vol. 38.

HARRISBURG, PA., TUESDAY, AUGUST 1, 1961.

No. 84.

SENATE

TUESDAY, AUGUST 1, 1961.

The Senate met at 11:00 a.m., Eastern Standard Time.

The PRESIDING OFFICER (Martin Silvert) in the Chair.

PRAYER

The Chaplain, Rev. CARL M. FULTON, Pastor of Middletown Second Baptist Church, Middletown, offered the following prayer:

Almighty and most gracious God, our dear heavenly Father, we beseech Thee this day, praying Thy holy blessing upon these lawmakers of the Senate of our Commonwealth to help them in their great work. We pray, holy Father, that Thou wilt unite their hearts so they will be able to perform their great work in unity and brotherly love. We pray Thou wilt continue to bless this Senate for the remaining days of this Session with good fellowship and brotherly love.

Holy Father, we are grateful for the good government that we have in our State and Nation. Bless our efforts to promote friendship among the races of our Country. Grant us the power of Thy Holy Spirit that we may be able to meet the demands of this day. Also grant us strength to overcome the temptations of our daily work.

Holy Father, gracious are Thy promises, and may everyone of them be very precious unto us. When this day is finished, we pray that Thou wilt grant these Senators and officials a safe journey to their various homes, both far and near.

We ask these blessings in the name of our Strength and our Redeemer. Amen.

JOURNAL APPROVED

The PRESIDING OFFICER. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WEINER and Mr. HAYS, further reading was dispensed with, and the Journal was approved.

INQUIRY REGARDING COMMITTEES OF CONFERENCE ON HB 715 AND 716

Mr. WADE. Mr. President, a little over a month ago, the present Presiding Officer, Senator Ripp and I were named as members of Conference Committees on House Bill No. 715 and House Bill No. 716.

I would like to make inquiry regarding these Conference Committees of either Senator Ripp, who I understand is otherwise engaged, or yourself, as the Presiding Officer. Since it would be out of order, however, to interrogate the Presiding Officer and, as I said before, since Senator Ripp is not on the floor at the moment, being otherwise engaged, I will defer the matter until later, if I may.

The PRESIDING OFFICER. Senator Wade, you may defer any questions you have until later, although I am prepared to give you some information.

I understand that the matter is being gone into with the House. The plans are, for consideration by the committee, that we amend the bills so as to take out all prior amendments and change the effective date to, I think, July 1, 1962. They are the present plans. However, the Committees of Conference have not acted on this as yet, and we cannot act until the House convenes next week.

Mr. WADE. Mr. President, I sincerely appreciate the remarks of the Chair regarding these two bills. They are extremely important to State employees who are no longer in the service of the Commonwealth, and to teachers who are no longer in the service of the State or who will leave the service in the near future.

I am sure it is not necessary for me to call the attention of the Chair to the fact that I submitted a suggestion to the present Presiding Officer and I have had no notice, whatever, of any Conference Committee Report. I merely wanted to call the attention of the Members of the Senate to the fact that these Conference Committees were appointed on June 28, 1961, which is more than a month ago. Now, it would seem that it is time the committees meet and come to some decision.

I am not being critical of the present Presiding Officer. Senator Ripp was the first appointed and, therefore, as I understand it, would become Chairman of the Conference Committees. However, I further understand that when a bill originates in the House, then the first appointed on the Conference Committee from the House would be the Chairman of the Committee. It would be his duty to call the group together so that some arrangement might be agreed upon.

The PRESIDING OFFICER. I want to assure you, Senator Wade, there will be action on the Conference Committee Reports early next week.

REPORTS FROM COMMITTEES

Mr. MULLIN, from the Committee on State Government, reported, as committed, **HB 1162**.

Mr. HAYS, from the Committee on Education, reported, as committed, **SB 665** and **HB 944**; as amended, **SB 666**.

Mr. MURRAY, from the Committee on Highways, reported, as committed, **HB 518** and **1281**; and rereported, as committed, **HB 522**.

Mr. KALMAN, from the Committee on Insurance, reported, as amended, **SB 742**; as committed, **HB 1510**; and rereported, as committed, **HB 1102**.

Mr. VAN SANT, from the Committee on State Government, reported, as amended, **HB 1473**.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. DEVLIN, from the committee on Executive Nominations, reported the following nominations, made by his Excellency, the Governor, which were laid on the table:

MEMBER OF THE BOARD OF TRUSTEES OF CONNELLSVILLE STATE HOSPITAL

July 31, 1961.

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate James L. Ruane, 504 East Washington Avenue, Connellsville, Fayette County, for appointment as a member of the Board of Trustees of Connellsville State Hospital, until the third Tuesday of January 1967, and until his successor is appointed and qualified, vice Meyer Aaron, Connellsville, deceased.

David L. Lawrence.

MEMBER OF THE BOARD OF TRUSTEES OF POLK STATE SCHOOL

July 31, 1961.

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Leo J. Krasowski, 833 East Twenty-eighth Street, Erie, Erie County, for reappointment as a member of the Board of Trustees of Polk State School, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

David L. Lawrence.

JUSTICE OF THE PEACE

July 31, 1961.

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Charles C. Angelini, 91 Roseto Avenue, Roseto, Northampton County, for appointment as Justice of the Peace in and for the Borough of Roseto, Northampton County, to serve until the first Monday of January 1962, vice John Cistone, resigned.

David L. Lawrence.

MEMBERS OF THE BOARD OF TRUSTEES OF SHIPPENSBURG STATE COLLEGE

July 25, 1961.

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Shippensburg State College, until the third

Tuesday of January 1967, and until their successors are appointed and qualified:

Raymond A. Myers, Sr., 350 Walnut Street, Lemoyne, Cumberland County.

J. Boyd Landis, 535 Moorland Avenue, Carlisle, Cumberland County.

David L. Lawrence.

MEMBER OF THE STATE BOARD OF CHIROPODY EXAMINERS

July 17, 1961.

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate J. S. Pincus, 26 North Third Street, Harrisburg, Dauphin County, for reappointment as a member of the State Board of Chiropractic Examiners, for the term of four years, and until his successor shall have been appointed and qualified.

David L. Lawrence.

EXECUTIVE NOMINATIONS

EXECUTIVE SESSION

A motion was made by Mr. DEVLIN and Mr. McGINNIS, That the Senate do now resolve itself into Executive Session for the purpose of considering certain nominations made by the Governor.

Which was agreed to.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. DEVLIN asked and obtained unanimous consent for immediate consideration of the nominations made by His Excellency, the Governor, and reported from committee at today's Session.

NOMINATIONS TAKEN FROM THE TABLE

Mr. DEVLIN. Mr. President, I call from the table for consideration the nominations reported from committee today and just read by the Clerk.

On the question,

Will the Senate advise and consent to the nominations?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Ripp,	Van Sant,
Devlin,	Lane,	Rooney,	Wade,
DiSilvestro,	Madigan,	Sarraff,	Wagner,
Donolow,	Mahady,	Scott,	Ware, III,
Ehrgood,	Mallery,	Sesler,	Weiner,
Flack,	McCreesh,	Seyler,	Wolfe,
Fleming,	McGinnis,	Shafer,	Yatron,
Haluska,	McMenamin,	Staisey,	Silvert,
Hawbaker,	Miller,		Presiding Officer

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. DEVLIN. Mr. President, I move that the Executive Session do now rise.

Mr. McGINNIS. Mr. President, I second the motion.

The motion was agreed to.

BILL INTRODUCED AND REFERRED

Messrs. RIPP and WEINER, by unanimous consent, presented to the Chair **SB 891**, entitled:

An Act amending the act of June 24, 1939 (P. L. 748), entitled, as amended, "The Pennsylvania Securities Act," exempting limited partnerships from being constituted "dealers" because of certain transactions.

Which was committed to the Committee on Banking.

REPORTS FROM COMMITTEE

Mr. HALUSKA, by unanimous consent, from the Committee on Local Government, reported, as committed, **SB 876** and **HB 1498**; as amended, **SB 877** and **HB 1422**.

SENATE RESOLUTIONS

COMMENDING AND CONGRATULATING THE PITTSBURGH POST-GAZETTE

Messrs. STAISEY, DEVLIN, SARRAF, RIPP, McGINNIS and FLEMING, by unanimous consent, offered the following resolution (**Serial No. 91**), which was read, considered and adopted:

In the Senate, August 1, 1961.

The Pittsburgh Post-Gazette is this year celebrating the one hundred and seventy-fifth anniversary of its existence. To detail more specifically, this almost spans the history of the United States of America. This newspaper has been one of the leading forces not only in the development of Pennsylvania, but also in the tri-State area of West Virginia and Ohio.

The City of Pittsburgh and the Commonwealth of Pennsylvania are justly proud not only for the longevity of the Pittsburgh Post-Gazette, but also for its indefatigable adhesion to good journalism and the truth.

This newspaper has a continuous record of one hundred seventy-five years of journalistic independence and service to the City of Pittsburgh and this Commonwealth.

The Editor, William Block, is hereby commended and congratulated for the high quality of journalism he has maintained in the Pittsburgh Post-Gazette; therefore be it

RESOLVED, That the Senate of the Commonwealth of Pennsylvania hereby commends and congratulates the Pittsburgh Post-Gazette on this its one hundred and seventy-fifth anniversary, and also for the great service it has rendered to the City of Pittsburgh, the Commonwealth of Pennsylvania, and our great Nation, the United States of America; and be it further

RESOLVED, That a copy of this resolution be sent to William Block, Editor of the Pittsburgh Post-Gazette, in Pittsburgh.

REQUESTING THE SECRETARY OF PROPERTY AND SUPPLIES AND THE EDITOR OF THE PENNSYLVANIA MANUAL, TO PUBLISH, IN FUTURE ADDITIONS OF THE PENNSYLVANIA MANUAL, A SECTION ON HISTORICAL PRESERVATION

Messrs. STIEFEL and CHAPMAN, by unanimous consent, offered the following resolution (**Serial No. 92**), which was read and referred to the Committee on Historical Preservation:

In the Senate, August 1, 1961.

WHEREAS, The Commonwealth of Pennsylvania is the first State in the United States to provide by general legislation for the establishment of historic districts by local governments, and the protection of the historic character of these districts, by the enactment of Senate Bill No. 172, which was approved by Governor David L.

Lawrence on June 13, 1961, and became immediately effective; and

WHEREAS, The many and varied statutory provisions for the protection and preservation of Pennsylvania's rich historical heritage are too little known by the officers of the units of county and municipal government and by the people of Pennsylvania, and ought to be made readily available in the Commonwealth's standard reference work, the Pennsylvania Manual; therefore, be it

RESOLVED, That the Senate of the Commonwealth of Pennsylvania hereby requests and directs the Secretary of Property and Supplies and the Editor of The Pennsylvania Manual to publish in future editions of The Pennsylvania Manual a section on historical preservation in Pennsylvania, which section shall include a summary and explanation of the Act approved June 13, 1961, enabling local governments to protect the character of historical areas; a summary and explanation of other Acts relating to historical preservation; and a listing of the historical buildings and sites under the jurisdiction of the Pennsylvania Historical and Museum Commission with locations, descriptive information, and representative illustrations; and be it further

RESOLVED, That upon the adoption of this resolution, the Secretary of the Senate shall forward an official copy of this resolution to both the Secretary of Property and Supplies and the Editor of the Pennsylvania Manual.

SENATE CONCURRENT RESOLUTION

RECALLING **SB 735** FROM THE GOVERNOR

Mr. WEINER, by unanimous consent, offered the following resolution, which was read, considered and adopted:

In the Senate, August 1, 1961.

RESOLVED (the House of Representatives concurring), That Senate Bill No. 735, Printer's No. 855, entitled "An act amending the act of December 22, 1951 (P. L. 1726), entitled 'An act relating to the loyalty to the United States and the Commonwealth of Pennsylvania of public officers and employees, including teachers and other employees of the public school system and officers and employees of State-aided institutions of learning, requiring oaths or affirmations by applicants for public office or employment and by present appointed officers and employees, prohibiting appointment or employment and requiring discharges after hearing in certain cases; imposing conditions on the payment of appropriations to State-aided institutions of learning; requiring statements under oath or affirmation of candidates for elective public offices and imposing duties on State and local appointing authorities and certain other State officers,' excluding from the provisions of the Act certain teachers who are citizens or subjects of foreign countries," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

RECESS

Mr. WEINER. Mr. President, I request a forty-five minute recess of the Senate for the purpose of holding both, I believe, a Democratic Caucus and a Republican Caucus in their respective Caucus Rooms.

The PRESIDING OFFICER. Are there any objections? The Chair hears no objection, and declares a forty-five minute recess of the Senate.

AFTER RECESS

The PRESIDING OFFICER (Joseph D. Ripp) in the Chair.

The PRESIDING OFFICER. The time of recess having elapsed, the Senate will be in order.

BILLS INTRODUCED AND REFERRED

Mr. SILVERT (By Request), by unanimous consent, presented to the Chair **SB 892**, entitled:

An Act amending the act of May 20, 1937 (P. L. 728), entitled "An act providing for the creation of a Board of Arbitration of Claims arising from contracts with the Commonwealth; . . ." increasing the jurisdiction of the Board of Arbitration.

Which was committed to the Committee on Judiciary General.

Messrs. DEVLIN, STAISEY and SHAFER, by unanimous consent, presented to the Chair **SB 893**, entitled:

An Act requiring certain persons in criminal proceedings to appear at preliminary hearings, imposing liabilities and prescribing penalties.

Which was committed to the Committee on Judiciary General.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS,
OVER IN ORDER

SB 104—Mr. WEINER. Mr. President, I request that Senate Bill No. 104 go over in its order.

The PRESIDING OFFICER. Is there objection?

Mr. KESSLER. Mr. President, I object to Senate Bill No. 104 going over in its order.

The PRESIDING OFFICER. Does the gentleman from Philadelphia, Senator Weiner, wish to make a motion for the bill to go over in order?

Mr. WEINER. Mr. President, I move that Senate Bill No. 104, Printer's No. 1058, go over in its order.

Mr. LANE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. STROUP. Mr. President, I ask for a roll call.

The PRESIDING OFFICER. The Senate will be at ease a moment.

(The Senate was at ease.)

And the question recurring,

Will the Senate agree to the motion?

Mr. WEINER. Mr. President, may the record show that the Members who vote for or against this motion are not voting on the bill, but merely on whether the bill should go over in its order today or not?

Mr. BERGER. Mr. President, if the Chair intends to grant the request of the Majority Leader, I would inquire as to just how the record is going to show that.

Mr. WEINER. Mr. President, I have made no request. I merely made a motion that the bill go over in its order. The gentlemen on the other side—I do not know who—are asking for a roll call and are objecting to the bill going over in order. I think the usual procedure is that you vote to either have the measure go over in its order or not to go over, and that is not a vote for or against the bill.

The PRESIDING OFFICER. The Chair agrees with the Majority Leader and the Clerk will call the roll.

Mr. YATRON. Mr. President, I wish to second the motion that this roll call vote will indicate that it is only a vote for or against the bill going over in its order.

The PRESIDING OFFICER. This vote is not a vote for or against the bill.

Mr. SCOTT. Mr. President, I think that is for the public to decide for themselves.

The PRESIDING OFFICER. The Clerk will call the roll.

Mr. DONOLOW. Mr. President, may the Senate be at ease for a moment?

The PRESIDING OFFICER. The Senate will be at ease. (The Senate was at ease.)

Mr. BERGER. Mr. President, the roll call has been interrupted.

The PRESIDING OFFICER. The roll call has not started and we are now at ease.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. STROUP, and were as follows, viz:

YEAS—27

Bell,	Hays,	Mullin,	Staisey,
Camel,	Kalman,	Murray,	Stiefel,
Chapman,	Lane,	Rooney,	Taylor,
Devlin,	Mahady,	Sarraf,	Weiner,
DiSilvestro,	Mallery,	Sesler,	Yatron,
Donolow,	McCreesh,	Seyler,	Ripp,
Haluska,	McGinnis,	Silvert,	Presiding Officer

NAYS—20

Berger,	Hawbaker,	Propert,	Van Sant,
Confair,	Kessler,	Scott,	Wade,
Ehrgood,	Kromer,	Shafer,	Wagner,
Flack,	Madigan,	Stevenson,	Ware, III,
Fleming,	Pechan,	Stroup,	Wolfe,

So the question was determined in the affirmative, and the motion was agreed to.

INTERROGATION

Mr. VAN SANT. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Weiner.

The PRESIDING OFFICER. Will the gentleman from Philadelphia, Mr. Weiner, permit himself to be interrogated?

Mr. WEINER. I will always permit myself to be interrogated, Mr. President.

Mr. VAN SANT. Mr. President, several months ago, we had a similar motion here that a bill go over in its order. At that time, it was not clarified as to how long the bill would remain over in order. Will the Majority Leader specify a date when this bill will be considered again?

Mr. WEINER. Mr. President, the gentleman asked me two questions and I shall answer both of them. The bill will go over in its order until Monday, when we meet again, which will be August 7. That is the date when we will consider this bill. At that time, this Body will decide whether or not they want to consider it.

Mr. VAN SANT. Mr. President, do I understand the gentleman correctly that the bill will go over in its order until Monday, but that he is not specifying there will be definite action on the bill at that time?

Mr. WEINER. Mr. President, if the gentleman will answer any question of the same sort regarding any other bill, I will be happy to answer his question concerning this bill.

Mr. VAN SANT. In other words, Mr. President, am I to assume that the bill is over in its order until—period?

Mr. WEINER. Mr. President, the gentleman may assume anything that he cares to. I am not here to tell

him what assumptions he can make. However, I think the clear assumption on this matter is that the bill will go over in its order until Monday. At that time, if this Body decides to consider it, it shall be considered the same as any other measure is considered here.

Mr. VAN SANT. I thank the gentleman, Mr. President.

INTERROGATION

Mr. BERGER. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senate Weiner.

The PRESIDING OFFICER. Will the gentleman from Philadelphia, Mr. Weiner, permit himself to be interrogated?

Mr. WEINER. I will, Mr. President.

Mr. BERGER. Mr. President, to use the words which I have heard so often in this Chamber, may I inquire of the gentleman when we may expect action on this bill?

Mr. WEINER. Mr. President, I expect action on Monday. I am hopeful that on Monday, Tuesday or on whatever date this Body decides to consider this measure will be the appropriate time for us to take a vote on it.

Mr. BERGER. Mr. President, would the gentleman inform us as to when we may be expected to vote on this bill?

Mr. WEINER. Mr. President, I cannot answer that question for anybody here except myself. I expect to vote on this bill when it comes before us. If Monday is a good day for that, I will be very happy to vote on it, along with everybody else.

Mr. WEINER. Mr. President, I thank the gentleman for his very definite answer.

CALENDAR

BILLS ON CONCURRENCE IN HOUSE AMENDMENTS

SB 106 (Pr. No. 1133)—Mr. WEINER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 106.

Mr. LANE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarraf,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SB 405 (Pr. No. 1109)—Mr. WEINER. Mr. President,

I move that the Senate do concur in the amendments made by the House to Senate Bill No. 405.

Mr. LANE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Bell,	Hawbaker,	Mullin,	Stiefel,
Berger,	Kalman,	Murray,	Stroup,
Camiel,	Keller,	Pechan,	Taylor,
Chapman,	Kessler,	Propert,	Van Sant,
Confair,	Kromer,	Rooney,	Wade,
Devlin,	Lane,	Sarraf,	Wagner,
DiSilvestro,	Madigan,	Scott,	Ware, III,
Donolow,	Mallery,	Sesler,	Weiner,
Ehrgood,	McCreesh,	Shafer,	Wolfe,
Flack,	McGinnis,	Silvert,	Yatron,
Fleming,	McMenamin,	Stalsey,	Ripp,
Haluska,	Miller,	Stevenson,	Presiding Officer

NAYS—3

Hays,	Mahady,	Seyler,
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A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SB 456 (Pr. No. 1118)—Mr. WEINER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 456.

Mr. LANE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarraf,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS, OVER IN ORDER

SB 486—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILLS ON CONCURRENCE IN HOUSE AMENDMENTS

SB 589 (Pr. No. 1090)—Mr. WEINER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 589.

Mr. LANE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Proper,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarraf,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SB 716 (Pr. No. 1114)—Mr. WEINER. Mr. President, I move that the Senate do nonconcur in the amendments made by the House to Senate Bill No. 716, and that a Committee of Conference on the part of the Senate be appointed.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

CONFERENCE COMMITTEE REPORT, OVER IN ORDER

SB 88—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

FINAL PASSAGE CALENDAR

BILL OVER IN ORDER

HB 1082—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

THIRD READING CALENDAR

APPROPRIATION BILL OVER IN ORDER

HB 1198—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

EDUCATION BILLS OVER IN ORDER

SB 130, 646, 683, 688, 690, 734, 867 and **HB 1377**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

BILLS OVER IN ORDER

HB 81—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

HB 95 and **161**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

BILL ON THIRD READING AND FINAL PASSAGE

HB 238 (Pr. No. 2004)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Berger,	Hawbaker,	McMenamin,	Silvert,
Camel,	Kalman,	Miller,	Stalsey,
Chapman,	Keller,	Mullin,	Stevenson,
Confair,	Kessler,	Murray,	Stiefel,
Devlin,	Kromer,	Pechan,	Stroup,
DiSilvestro,	Lane,	Proper,	Van Sant,
Donolow,	Madigan,	Rooney,	Wagner,
Ehrgood,	Mahady,	Sarraf,	Weiner,
Flack,	Mallery,	Scott,	Wolfe,
Fleming,	McCreesh,	Sesler,	Yatron,
Haluska,	McGinnis,	Shafer,	Ripp,
			Presiding Officer

NAYS—6

Bell,	Seyler,	Wade,	Ware, III,
Hays,	Taylor,		

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, that the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

SB 353—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

SB 413—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

HB 564—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILL ON THIRD READING AMENDED

SB 750 (Pr. No. 889)—Read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. DEVLIN, by unanimous consent, offered the following amendments:

Amend Title, page 2, last line of Title, by inserting after "fire": building safety

Amend Sec. 1 (Title), page 2, line 16, by inserting after "housing": building safety

Amend Sec. 1 (Title), page 3, line 4, by inserting after "housing": building safety

Amend Sec. 1 (Sec. 1), page 3, line 10, by inserting after "housing": building safety

Amend Sec. 1 (Sec. 1), page 3, line 13, by inserting after "housing": building safety

Amend Sec. 1 (Sec. 1), page 4, line 9, by inserting after "housing": building safety

Amend Sec. 1 (Sec. 1), page 4, line 12, by inserting after "housing": building safety

Amend Sec. 1 (Sec. 2), page 5, line 6, by inserting after "housing": building safety

Amend Sec. 1 (Sec. 3), page 6, line 7, by inserting after "housing": building safety

Amend Sec. 1 (Sec. 3.1), page 6, line 15, by inserting after "housing": building safety

Amend Sec. 1 (Sec. 3.1), page 7, line 3, by inserting after "ing": building safety

On the question,

Will the Senate agree to the amendments?

They were agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. WEINER.

BILL ON THIRD READING AND FINAL PASSAGE

SB 755 (Pr. No. 901)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Proper,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarra,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, that the clerk present said bill to the House of Representatives for concurrence.

BILL REREFERRED

SB 769 (Pr. No. 917)—Upon motion of Mr. WEINER, seconded by Mr. LANE, and agreed to, the bill was referred to the Committee on Appropriations.

BILL OVER IN ORDER

HB 810—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILLS ON THIRD READING AND FINAL PASSAGE

SB 843 (Pr. No. 1043)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Proper,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarra,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill of the House of Representatives for concurrence.

SB 858 (Pr. No. 1081)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

Mr. MULLIN. Mr. President, from the way I read this bill, you will not be able to own a dog anymore unless it is inoculated against hydrophobia. That would take in a lot of dogs in Pennsylvania, and it looks to me like the only ones who would benefit would be veterinarians. I

think we should not require everybody who has a dog to get a certificate from a veterinarian, stating that the dog has been inoculated.

Mr. BERGER. Mr. President, there is no inhibition in this bill against owning a dog. It is not going to prevent ownership. However, if a person wants to license the dog, he will have to have it certified against rabies.

Mr. MULLIN. Mr. President, you cannot legally own a dog unless you have a license. Therefore, it amounts to the same thing.

Mr. BERGER. Mr. President, I do not care to argue that point with the gentleman. I might offend somebody in the Senate Chamber.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36

Berger,	Kalman,	Proper,	Stroup,
Camiel,	Keller,	Sarra,	Van Sant,
Confair,	Kessler,	Scott,	Wade,
Devlin,	Lane,	Sesler,	Wagner,
Donolow,	Madigan,	Seyler,	Ware, III,
Flack,	Mahady,	Shafer,	Weiner,
Fleming,	McCreesh,	Silvert,	Wolfe,
Haluska,	McGinnis,	Stalsey,	Yatron,
Hawbaker,	Murray,	Stiefel,	Ripp,
			Presiding Officer

NAYS—10

Bell,	Hays,	Mullin,	Stevenson,
Chapman,	Kromer,	Pechan,	Taylor,
Ehrgood,	Mallery,		

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SB 861 (Pr. No. 1095)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Proper,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarra,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

HB 1015—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILL ON THIRD READING AND FINAL PASSAGE

HB 1081 (Pr. No. 2243)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Probert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarra,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

HB 1190—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILL ON THIRD READING AND FINAL PASSAGE

HB 1273 (Pr. No. 1469)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Probert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarra,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING AMENDED

HB 1446 (Pr. No. 2538)—Read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. STIEFEL, by unanimous consent, offered the following amendments:

Amend Sec. 1 (Sec. 5.2), page 2, lines 9 and 10, by striking out "Under the immediate supervision of a licensed barber".

Amend Sec. 1 (Sec. 5.2), page 2, line 16; page 3, line 1, by striking out "Under the immediate supervision of a licensed barber".

On the question,

Will the Senate agree to the amendments?

Mr. STIEFEL. Mr. President, the purpose of these amendments is to rectify a wrong which is reminiscent of the lamb of the poor and the parables in the Bible.

A few orphans in the Scotland School for Veterans' Children have an opportunity to acquire certain experience in barbering. Somebody introduced an amendment which would impede this possibility for such experience. The purpose of these amendments is to strike out the other amendments.

And the question recurring,

Will the Senate agree to the amendments?

They were agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. STIEFEL.

BILL ON THIRD READING AND FINAL PASSAGE

HB 1500 (Pr. No. 1848)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Probert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarra,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

HB 1515 and 1551—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

BILL ON THIRD READING AND FINAL PASSAGE

HB 1566 (Pr. No. 1967)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,
Berger,
Camiel,
Chapman,
Confair,
Devlin,
DiSilvestro,
Donolow,
Ehrgood,
Flack,
Fleming,
Haluska,
Hawbaker,

Hays,
Kalman,
Keller,
Kessler,
Kromer,
Lane,
Madigan,
Mahady,
Mallery,
McCreesh,
McGinnis,
McMenamin,
Miller,

Mullin,
Murray,
Pechan,
Propert,
Rooney,
Sarraf,
Scott,
Sealer,
Seyler,
Shafer,
Silvert,
Stalsey,

Stevenson,
Stiefel,
Stroup,
Taylor,
Van Sant,
Wade,
Wagner,
Ware, III,
Weiner,
Wolfe,
Yatron,
Ripp,
Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

HB 1588—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILL ON THIRD READING AND FINAL PASSAGE

HB 1609 (Pr. No. 2203)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bell,
Berger,
Camiel,
Chapman,
Confair,
Devlin,
DiSilvestro,
Donolow,
Ehrgood,
Flack,
Fleming,
Haluska,
Hawbaker,

Hays,
Kalman,
Keller,
Kessler,
Kromer,
Lane,
Madigan,
Mahady,
Mallery,
McCreesh,
McGinnis,
McMenamin,

Miller,
Mullin,
Murray,
Pechan,
Propert,
Rooney,
Sarraf,
Scott,
Sealer,
Seyler,
Shafer,
Silvert,

Stalsey,
Stevenson,
Stiefel,
Stroup,
Taylor,
Van Sant,
Wade,
Wagner,
Ware, III,
Weiner,
Wolfe,
Yatron,
Ripp,
Presiding Officer

NAYS—1

Yatron,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING, DEFEATED ON FINAL PASSAGE

HB 1616 (Pr. No. 2030)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

Mr. WEINER. Mr. President, on behalf of this measure, I would like to point out to the Members of the Senate the need for this bill. There exists today in I do not know how many counties, but in this particular county we are speaking about, Montgomery County, specifically, a blue card if you register Republican, a pink card if you register Democratic, and a buff card if you register Nonpartisan. I do not know if it is a coincidence that the pink card

and being Democratic happen at the same time. My suspicions are that it probably is.

Most communities give a single card, regardless of how you register. I do not want to say there is any problem in Montgomery County about this. However, there may be some correlation between certain activities which take place in a community depending on your registration. I think everybody in this Country ought to be allowed to register, vote, worship or do anything as they please, as long as it does not affect the commonweal or the general public. I think what we ought to have here is a uniform system of registering people regardless of their registration.

It might very well be that no one is interested in the registration. However, I think the gentlemen on the other side and, more specifically, the gentleman who represents that county in this Chamber can enlighten us on that fact.

There used to be a time in the city of Philadelphia when your assessment and how many violations you might have in your house depended upon your registration. It might have been a coincidence that a person registered a certain way might have been living in a condemned house to begin with, and it just so happened to work out that way.

I would suggest that my colleagues on both sides of the aisle support this measure as being good legislation. One of the other gentlemen here, who has been speaking on behalf of doing the right thing in the right places, I am sure will vote for this measure. I am asking him to not only vote for it, but I think he can speak with a few Members on his side, with whom he has some communication, and use his good offices to get this measure through.

Mr. BERGER. Mr. President, I would not suggest that the possibility of the practice referred to by the gentleman might be totally unknown to the present generation. However, I see no objection if they care to issue a different colored card to their registrants in Philadelphia, or their registrants in Allegheny, or their registrants in Clearfield or any county whatsoever.

I understand the logic of the different colored cards is simply to make for ease in identification of the voter when he comes to the polls. You always have to state your Party affiliation in a Primary. Of course, it would be embarrassing for a man with a blue card or a yellow card to present it to the registrar and get a different designation than that of his political Party. This helps to clarify that situation, Mr. President.

Senator Bell just handed me different types of licenses here. He points out that the operator's card is blue and the registration card is yellow. That, of course, goes to clarify the situation.

Mr. WEINER. Mr. President, I rise to a point of order.

The PRESIDING OFFICER. The gentleman will state it.

Mr. WEINER. Mr. President, I feel there should be no coaching of the witness.

Mr. BERGER. Mr. President, the gentleman's point may be well taken. He was in the coaching box.

However, it has been explained to me, Mr. President, that this method of identification of registrants does help in the identification of people and certainly does no harm. I should think the person who would register Democratic would be proud to have a card so identifying him, and the same way with a Republican. I do question

whether the same pride might be felt by one who registered Nonpartisan. That, of course, is a matter of individual conscience and belief.

Consequently, Mr. President, I do not believe this bill, which would prohibit issuing different colored cards, is necessary because it would interfere with the operation of the registration boards in certain counties which might want to follow this practice.

Mr. WEINER. Mr. President, I am sure that if the Commonwealth of Pennsylvania issued different registration cards for automobile or drivers' licenses depending on how people were registered, the wails of screaming in here would be so loud and so intense that we could hardly hear ourselves speak. I think it is in bad taste, and I think it is certainly undemocratic—both with a little "d" and a big "D"—that this practice continue. I would ask, in the interest of fair play, that these gentlemen take the position of voting for this measure.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—25

Camiel,	Lane,	Mullin,	Silvert,
Devlin,	Mahady,	Murray,	Stalsey,
DiSilvestro,	McCreesh,	Rooney,	Stiefel,
Donolow,	McGinnis,	Sarra,	Weiner,
Haluska,	McMenamin,	Sesler,	Yatron,
Hays,	Miller,	Seyler,	Rapp,
Kalman,			Presiding Officer

NAYS—25

Bell,	Hawbaker,	Pechan,	Taylor,
Berger,	Keller,	Propert,	Van Sant,
Chapman,	Kessler,	Scott,	Wade,
Confair,	Kromer,	Shafer,	Wagner,
Ehrgood,	Madigan,	Stevenson,	Ware, III,
Flack,	Mallery,	Stroup,	Wolfe,
Fleming,			

Less than a majority of all the Senators having voted "aye," the question was determined in the negative, and the bill was defeated.

BILLS OVER IN ORDER

HB 1617 and 1621—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

BILL ON THIRD READING, DEFEATED ON FINAL PASSAGE

HB 1652 (Pr. No. 2539)—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. WEINER. Mr. President, may we be at ease a moment?

The PRESIDING OFFICER. The Senate will be at ease. (The Senate was at ease.)

Mr. WEINER. Mr. President, I just want to make a few remarks regarding this bill before we—

POINT OF ORDER

Mr. BERGER. Mr. President, I rise to a point of order.

The PRESIDING OFFICER. The gentleman will state it.

Mr. BERGER. Has the roll call commenced?

The PRESIDING OFFICER. It was barely audible to the Chair and, therefore, the Majority Leader may speak.

Mr. BERGER. Mr. President, I voted on this bill and, therefore, the roll call had started.

Mr. WEINER. Mr. President, I will not debate this point, but I believe I asked the Chair to recognize me and the Chair probably did not hear me. However, I will not get into an argument here about what the point of order is or whether we should debate this bill. I think the people who are going to vote on this measure should search their conscience before doing so. This is a labor measure.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—25

Camiel,	Lane,	Mullin,	Silvert,
Devlin,	Mahady,	Murray,	Stalsey,
DiSilvestro,	McCreesh,	Rooney,	Stiefel,
Donolow,	McGinnis,	Sarra,	Weiner,
Haluska,	McMenamin,	Sesler,	Yatron,
Hays,	Miller,	Seyler,	Rapp,
Kalman,			Presiding Officer

NAYS—25

Bell,	Hawbaker,	Pechan,	Taylor,
Berger,	Keller,	Propert,	Van Sant,
Chapman,	Kessler,	Scott,	Wade,
Confair,	Kromer,	Shafer,	Wagner,
Ehrgood,	Madigan,	Stevenson,	Ware, III,
Flack,	Mallery,	Stroup,	Wolfe,
Fleming,			

Less than a majority of all the Senators having voted "aye," the question was determined in the negative, and the bill was defeated.

PERMISSION TO ADDRESS SENATE

Mr. WEINER asked and obtained unanimous consent to address the Senate.

Mr. WEINER. Mr. President, I wish to make just a brief observation.

All that was required in this measure is that they pay people three times a month instead of twice a month. I think that is certainly very little to ask for people who work for a living.

I would respectfully ask the gentlemen on the other side to search their conscience. The power is within them to bring this bill back before us again for a vote. We have twenty-five votes on this side in favor of this measure. I think the gentlemen should reconsider it. We are not asking anybody to do anything which would be overbearing or would cause them great difficulty in any way, shape or form.

This bill merely asks that they pay a man for working on a basis whereby he can get along and budget his salary and earnings.

PERMISSION TO ADDRESS SENATE

Mr. BERGER asked and obtained unanimous consent to address the Senate.

Mr. BERGER. Mr. President, certainly no one would disagree with the desirability of a man being able to budget his earnings. If it would assist him, certainly there would be no debate about this bill. However, as I understand it, it would entail a great deal of unnecessary expense in changing records, books and machines, in order to set up a different pay period.

Under our present law, the requirement that a man be paid once every two weeks seems to be an adequate provision and it will protect any employee in the collection of his wages. I certainly do not see how making it tri-monthly is any more efficacious than having it twice a month.

INTERROGATION

Mr. BELL. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Weiner.

The PRESIDING OFFICER. Let the Chair state that he feels you are all out of order.

Mr. BELL. I know we are, Mr. President.

The PRESIDING OFFICER. The bill has been defeated.

Mr. BELL. Mr. President, I ask for unanimous consent to interrogate the gentleman from Philadelphia, Senator Weiner.

The PRESIDING OFFICER. Will the gentleman from Philadelphia, Mr. Weiner, permit himself to be interrogated?

Mr. WEINER. I will, Mr. President.

Mr. BELL. Mr. President, will the Majority Leader tell us how often the State employees are paid?

Mr. WEINER. Mr. President, it is my understanding that the State employees are paid twice a month sometimes, and sometimes more often than that.

Mr. BELL. Thank you.

Mr. WEINER. I do not believe when anyone in this Chamber is asked a question, Mr. President, that he should be cut off from answering. If the gentleman would ask me whether I beat my wife, I could answer that question by answering "yes" or "no," and he could go on from that point. However, I think he should permit me to explain how I beat her, whether it is with a stick or whether it is with a stone.

I am trying to explain to the gentleman that the reason we use this method with the 60,000 employees of the State is because you have the basic problem of dealing with employees who are close at hand and who are available to us and who also work out their budgets on that basis. In this case, we are talking completely about a different type of situation. We are asking that these people be paid on a regular basis. The Members of the Legislature are paid once a month. However, that also is a different type of situation than this.

Most employees who work in most plants are paid at the end of every week. They are usually paid every Thursday or every Friday. In this situation, we are merely asking that these people be paid on that same basis.

Mr. BELL. Mr. President, I thank the gentleman for his very brief answer that the State employees are paid twice a month.

THIRD READING CALENDAR

BILL OVER IN ORDER

HB 1678—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

REPORTS FROM COMMITTEE

Mr. MURRAY, by unanimous consent, from the Committee on Labor and Industry, reported, as committed, **SB 835**, **HB 621** and **720**; as amended, **SB 836** and **HB 911**.

BILL REREFERRED

Mr. MURRAY, by unanimous consent, from the Committee on Labor and Industry, returned to the Senate, **HB 670**, which was rereferred to the Committee on Local Government.

SECOND READING CALENDAR

EDUCATION BILLS OVER IN ORDER

SB 611 and **613**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

BILL ON SECOND READING AMENDED

HB 36 (Pr. No. 2535)—The first section was read. On the question,

Will the Senate agree to the section?

Mr. DEVLIN offered the following amendments:

Amend Sec. 1 (Sec. 202), page 5, lines 15 and 16, by striking out "A certificate of public convenience" and inserting: property.

Amend Sec. 1 (Sec. 202), page 5, line 17, by inserting after "bus": of passengers by motor bus.

Amend Sec. 1 (Sec. 202), page 5, line 18, by striking out "Take into consideration" and inserting: consider and protect.

They were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. DEVLIN offered the following amendment:

Amend Sec. 2, page 6, lines 4 to 6, by striking out all of said lines.

It was agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. DEVLIN offered the following amendment:

Amend Title, page 4, first to last line of Title, by striking out all of said lines and inserting: property of a common carrier of passengers by motor bus.

It was agreed to.

The title was agreed to as amended.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. DEVLIN.

BILL ON SECOND READING

HB 320 (Pr. No. 2553)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

HB 337 and **SB 363**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

BILL ON SECOND READING AMENDED

SB 375 (Pr. No. 1086)—The first, second, third, fourth and fifth sections were read and agreed to.

The sixth section was read.

On the question,

Will the Senate agree to the section?

Mr. STIEFEL offered the following amendments:

Amend Sec. 6, page 5, line 19, by striking out "(6)" and inserting: 6.

Amend Sec. 6, page 6, line 5, by inserting after "Applicant": and debtors who have made payments to the applicant.

Amend Sec. 6, page 8, line 12, by inserting after "Obligor": and the debtors who have made payments to the obligor.

They were agreed to.

The section was agreed to as amended.

The seventh, eighth, ninth, tenth and eleventh sections were read and agreed to.

The twelfth section was read.

On the question,

Will the Senate agree to the section?

Mr. STIEFEL offered the following amendment:

Amend Sec. 12, page 18, line 14, by inserting after "the" where it appears the second time: claimants.

It was agreed to.

The section was agreed to as amended.

The thirteenth, fourteenth and fifteenth sections and title were read and agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. STIEFEL.

BILL ON SECOND READING

HB 376 (Pr. No. 413)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

SB 473, HB 573 and SB 598—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

BILL ON SECOND READING

SB 644 (Pr. No. 1046)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

SB 651—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILL ON SECOND READING

SB 702 (Pr. No. 1141)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

SB 791 (Pr. No. 1142)—Upon motion of Mr. WEINER, seconded by Mr. LANE, and agreed to, the bill was re-committed to the Committee on Judiciary General.

BILLS OVER IN ORDER

SB 801 and 806—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

HB 826—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILL ON SECOND READING AMENDED

SB 828 (Pr. No. 1111)—The first section was read.

On the question,

Will the Senate agree to the section?

Mr. LANE offered the following amendments:

Amend Sec. 1 (Sec. 1314), page 3, line 4, by striking out "eight (8)" and inserting: four (4).

Amend Sec. 1 (Sec. 1314), page 3, line 7, by striking out "Five (5)" and inserting: Two (2).

Amend Sec. 1 (Sec. 1314), page 3, line 9, by striking out "Three (3)" and inserting: Two (2).

Amend Sec. 1 (Sec. 1314), page 3, line 14, by striking out "Six (6)" and inserting: Three (3).

They were agreed to.

The section was agreed to as amended.

The second section and title were read and agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. LANE.

BILL OVER IN ORDER

SB 865—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILLS ON SECOND READING

SB 866 (Pr. No. 1100), SB 871 (Pr. No. 1143) and SB 875 (Pr. No. 1124)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

HB 1085, 1124 and 1125—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

BILL ON SECOND READING

HB 1217 (Pr. No. 1390)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

HB 1220—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

HB 1251, 1275, 1276, 1277, 1278, 1279, 1280, 1335, 1427 and 1519—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

BILL ON SECOND READING

HB 1554 (Pr. No. 1937)—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

HB 1578—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

HB 1599—Without objection, the bill was passed over in its order at the request of Mr. LANE.

HB 1683, 1704 and 1793—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

BILL ON SECOND READING POSTPONED

SB 668 (Pr. No. 778)—Without objection, the bill was called up from the Postponed Calendar by Mr. WEINER.

BILL RECOMMITTED

SB 668 (Pr. No. 778)—Upon motion of Mr. WEINER, seconded by Mr. LANE, and agreed to, the bill was re-committed to the Committee on Agriculture.

BILLS ON FIRST READING

Mr. LANE. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. STASEY. Mr. President, I second the motion.

The motion was agreed to.

The bills were as follows:

SB 665, 666, 742, 835, 836, 876, 877, HB 518, 621, 720, 911, 944, 1162, 1281, 1422, 1473, 1498 and 1510.

And said bills having been read at length for the first time,

Ordered, To be laid aside for second reading.

BILLS INTRODUCED AND REFERRED

Messrs. STASEY and DEVLIN, by unanimous consent, presented to the Chair **SB 894**, entitled:

An Act amending the act of June 30, 1947 (P. L. 1154), entitled, as amended, "Oleomargarine or Butterine Law," permitting the serving of colored oleomargarine in certain places.

Which was committed to the Committee on Agriculture.

Messrs. KELLER, VAN SANT, YATRON and ROONEY, by unanimous consent, presented to the Chair **SB 895**, entitled:

An Act amending the act of May 22, 1933 (P. L. 853), entitled "The General County Assessment Law," exempting fall-out shelters from taxation.

Which was committed to the Committee on Local Government.

They also, by unanimous consent, presented to the Chair **SB 896**, entitled:

An Act amending the act of May 21, 1943 (P. L. 571), entitled as amended "The Fourth to Eighth Class County Assessment Law," exempting fall-out shelters from taxation.

Which was committed to the Committee on Local Government.

MOTION FOR RECONSIDERATION OF HB 257

Mr. WEINER. Mr. President, I move that the Senate do now reconsider the vote by which House Bill No. 257, Printer's No. 2460, failed of final passage on July 18, 1961.

The PRESIDING OFFICER. How did the Senator vote?

Mr. WEINER. Mr. President, I voted with the prevailing side.

Mr. LANE. Mr. President, I second the motion.

The PRESIDING OFFICER. How did the Senator vote?

Mr. LANE. Mr. President, I voted with the prevailing side.

On the question,

Will the Senate agree to the motion?

Mr. BERGER. Mr. President, this bill having been previously defeated, I ask my colleagues to vote "no" on this motion, and ask for a roll call.

Mr. WEINER. Mr. President, just so everybody understands what we are voting on, this would make unlawful

and prohibit the employment of professional strike-breakers in places where there is a labor dispute. I ask my colleagues to vote "aye" on the motion to put this measure back on the Calendar for the purpose of bringing it before the Senate for a vote.

Mr. BERGER. Mr. President, I reiterate that it was before the Senate for a vote.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. BERGER, and were as follows viz:

YEAS—25

Camel,	Lane,	Mullin,	Silvert,
Devlin,	Mahady,	Murray,	Stalsey,
DiSilvestro,	McCreesh,	Rooney,	Stiefel,
Donolow,	McGinnis,	Sarraf,	Weiner,
Haluska,	McMenamin,	Sesler,	Yatron,
Hays,	Miller,	Seyler,	Ripp,
Kalman,			Presiding Officer

NAYS—25

Bell,	Hawbaker,	Pechan,	Taylor,
Berger,	Keller,	Propert,	Van Sant,
Chapman,	Kessler,	Scott,	Wade,
Confair,	Kromer,	Shafer,	Wagner,
Ehrgood,	Madigan,	Stevenson,	Ware, III,
Flack,	Mallery,	Stroup,	Wolfe,
Fleming,			

Less than a majority having voted "aye," the question was determined in the negative and the motion was defeated.

MOTION FOR RECONSIDERATION OF HB 107

Mr. WEINER. Mr. President, I move that the Senate do now reconsider the vote by which House bill No. 107, printer's No. 1825, failed of final passage on July 18, 1961.

The PRESIDING OFFICER. How did the Senator vote?

Mr. WEINER. Mr. President, I voted with the prevailing side.

Mr. LANE. Mr. President, I second the motion.

The PRESIDING OFFICER. How did the Senator vote?

Mr. LANE. Mr. President, I understand that I, too, voted with the prevailing side.

On the question,

Will the Senate agree to the motion?

Mr. BERGER. Mr. President, I ask for a roll call on this motion.

Mr. WEINER. Mr. President, so that we all understand what we are voting on, this is a motion to bring back a measure which would allow people who serve on jury duty to receive from their employer the difference between what they receive as jurors and what they would have received had they been employed, so that there is no loss to them and so that we can get capable people to serve on jury duty.

I ask my colleagues to vote "aye" on this motion.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. BERGER, and were as follows, viz:

YEAS—25

Camel,	Lane,	Mullin,	Silvert,
Devlin,	Mahady,	Murray,	Stalsey,
DiSilvestro,	McCreesh,	Rooney,	Stiefel,
Donolow,	McGinnis,	Sarraf,	Weiner,
Haluska,	McMenamin,	Sesler,	Yatron,
Hays,	Miller,	Seyler,	Ripp,
Kalman,			Presiding Officer

NAYS—25

Bell,
Berger,
Chapman,
Confair,
Ehrgood,
Flack,
Fleming,

Hawbaker,
Keller,
Kessler,
Kromer,
Madigan,
Mallery,

Pechan,
Propert,
Scott,
Shafer,
Stevenson,
Stroup,

Taylor,
Van Sant,
Wade,
Wagner,
Ware, III,
Wolfe,

Less than a majority having voted "aye," the question was determined in the negative and the motion was defeated.

PETITIONS AND REMONSTRANCES

Mr. BELL. Mr. President, I have in my hand a petition from a private citizen, who is one of my constituents, relating to Article I, Section 20 of the Constitution, directed to this body, which I request be received and incorporated in the Journal.

The PRESIDING OFFICER. This petition will be printed in the Legislative Journal.

PETITION TO THE STATE LEGISLATURE IN
THE COMMONWEALTH OF PENNSYLVANIA,
UNDER ARTICLE ONE, SECTION 20,
CONSTITUTION OF PENNSYLVANIA

BE IT KNOWN, that the PETITIONER herein, RAYMOND R. START, Esquire, is a Citizen living in the County of Delaware, Township of Upper Darby, Commonwealth of Pennsylvania.

(1) That he is herein Petitioning the Senate of Pennsylvania, by RIGHT OF PETITION, set forth in Article 1, Section 20, of the Constitution of Pennsylvania;

(2) That he is Petitioning in behalf of the common good of the Citizens of the County of Delaware in particular, and for the general good and political welfare of all the Citizens in the Commonwealth;

(3) That this Petition seeks to bring to light—and effectuate proper remedy—grievance of the said Citizens and this Petitioner by reason of the failure of the State Legislature to properly carry out, as the duly recognized members in the Pennsylvania General Assembly, its mandated task of reapportioning the State's Legislative Districts;

(4) That the General Assembly of Pennsylvania is now, and has been since the First of January, 1961, meeting for the first Session since the completion of the 1960 Federal decennial census;

(5) That Section 18 of Article II of the Constitution of Pennsylvania of 1874, the section entitled "Time of Apportionment," provides specifically for reapportionment of districts of the State Senate and House of Representatives, at this time. The context is in these words:

"The General Assembly . . . immediately after each United States decennial census, shall apportion the State into Senatorial and Representative districts agreeably to the provisions of the two next preceding sections." (Section 16 and 17 on State Senate and House apportionment procedures respectively)

(6) That neither House's districts have been realigned on the basis that the Constitution sets forth; that the Senate has not reapportioned its districts since 1921; that the House last reapportioned its districts in 1953; that lawsuits have been brought in Courts of the Commonwealth challenging the Legislature's failure to redistrict after the Federal decennial census;

(7) That, in all three categories of legislative districts,—State Senatorial, State Representative, and Congressional—the General Assembly is under a State Constitutional, or Congressional, mandate to reapportion in line with the 1960 census;

(8) That the Constitution of the Commonwealth of Pennsylvania sets forth, with respect to Senatorial District apportionment, as follows:

"The State shall be divided into fifty Senatorial districts of compact and contiguous territory as nearly equal in population as may be, and each district shall be entitled to elect one Senator. Each county containing one or more ratios of population shall be entitled to one Senator for each ratio . . . No ward, borough, or township shall be divided in the formation of a district. The Senatorial ratio shall be ascertained by dividing the whole population of the State by the number of fifty."

(9) That, with the mandate of the Constitution in mind, and the rights of the Citizens of Delaware County and the Commonwealth of Pennsylvania, the Pennsylvania General Assembly has reapportioned the Senatorial Districts only twice since the passage of the Constitution of 1874; namely, in 1906 and in 1921;

(10) That, on the basis of the final 1960 census figures, one Senatorial ratio—one-fiftieth of the Commonwealth's population—is 226,387, and to apply Section 16 of Article II of the Constitution, we find that every county containing between four-fifths of a ratio and a whole ratio, i.e. between 181,110 and 226,387, is entitled to one Senator, and each county is entitled to one Senator for each whole ratio;

(11) That the Constitution of the Commonwealth of Pennsylvania provides, with respect to "Representative Districts," as follows:

"The members of the House of Representatives shall be apportioned among the several counties on a ratio obtained by the most recent United States census by two hundred . . . Every county having five ratios or more shall have one Representative for every full ratio . . . Every city containing a population equal to a ratio shall elect separately its proportion of the Representatives allotted to the County."

(12) That the final 1960 census figure shows that a ratio is 56,597, with reference to the State Representatives in the Legislature;

(13) That the population of the County of Delaware, according to the 1960 United States decennial census, is 553,154;

(14) That, according to the population figures hereinbefore set forth, the County of Delaware is entitled to be represented in the General Assembly of the Commonwealth of Pennsylvania by TWO SENATORS, and TEN MEMBERS IN THE HOUSE OF REPRESENTATIVES, instead of the present ONE SENATOR and SEVEN REPRESENTATIVES;

(15) That, there has been a failure in both the Senate and the House of Representatives to reapportion the Senatorial and Representative Districts, and this failure has constituted a condition of "TAXATION WITHOUT EQUAL REPRESENTATION," with respect to the Citizens of the County of Delaware, in the Commonwealth;

(16) That the Petitioner, by and on behalf of the Citizens of the County of Delaware, and for the general welfare and constitutional rights of all the people in the Commonwealth of Pennsylvania, Petitions for Redress, and requests that the General Assembly of the Commonwealth of Pennsylvania, without Final Adjournment, continue in Legislative Session until reapportionment of the Legislative Districts is accomplished, and the mandated right of representation is recognized and fulfilled, in conformance with the Constitution of the Commonwealth; and

(17) That the Petitioner seeks this Redress and sets forth the supporting statements of fact without ulterior or partisan motive, and in the light of his own conscience to see that Justice and Right prevail for the Citizens of the County of

Delaware, and all the Citizens of the Commonwealth of Pennsylvania.

AND SO THE PETITIONER WILL PRAY.

(Signed) Raymond R. Start, Petitioner

RAYMOND R. START

Attorney-at-Law

Upper Darby National Bank Building

6910 Market Street

Upper Darby, Penna.

RECESS

Mr. WEINER. Mr. President, I request a short recess of the Senate for the purpose of holding a meeting of the Committee on Appropriations, to be held in the Appropriations Committee Room.

The PRESIDING OFFICER. Are there any objections? The Chair hears no objection, and declares a short recess of the Senate.

AFTER RECESS

The PRESIDING OFFICER (Jo Hays) in the Chair.

The PRESIDING OFFICER. The time of recess having elapsed, the Senate will be in order.

REPORTS FROM COMMITTEE

Mr. McGINNIS, by unanimous consent, from the Committee on Appropriations, reported as committed, **HB 1216, 1397 and 1579**; and rereported, as amended, **SB 195**; as committed, **HB 945**.

BILLS ON FIRST READING

Mr. WEINER. Mr. President, I move that the Senate do now proceed to the first reading of the bills just reported from committee for the first time at today's session.

Mr. SEYLER. Mr. President, I second the motion.

The motion was agreed to.

The bills were as follows:

HB 1216, 1397 and 1579.

And said bills having been read at length for the first time,

Ordered, To be laid aside for second reading.

ANNOUNCEMENTS BY THE SECRETARY

The following announcements were read by the Secretary of the Senate:

MONDAY, AUGUST 7, 1961

DEMOCRATIC CAUCUS1:00 P.M., D.S.T.
REPUBLICAN CAUCUS1:00 P.M., D.S.T.

ADJOURNMENT

Mr. WEINER. Mr. President, I move that the Senate do now adjourn until Monday, August 7, 1961, at 2:00 p.m., Eastern Standard Time.

Mr. CAMIEL. Mr. President, I second the motion.

The Senate adjourned at 3:06 p.m., Eastern Standard Time.

Legislative Journal.

Session 1961.

145th of the General Assembly.

Vol. 38.

HARRISBURG, PA., MONDAY, AUGUST 7, 1961.

No. 85.

SENATE

MONDAY, AUGUST 7, 1961.

The Senate met at 2:00 p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant Governor John Morgan Davis) in the Chair.

PRAYER

The Chaplain, Right Reverend ROBERT J. MAHER, Rector of St. Patrick's Cathedral, Harrisburg, offered the following prayer:

Enlighten and direct, O God of justice and truth, the deliberations of this Senate. Bring to fruition the thinking of these distinguished lawmakers. Grant this day a share of Thy divine light to illumine the minds of all involved in this process of lawmaking. Allow compatible talents and abilities to harmonize in this esteemed Assembly so that the best legal instruments may issue for the common good of our beloved State of Pennsylvania.

No man is an island but rather he is the divinely invented microcosm; a teeming inner world of ideas and dynamic will power, His Maker's image is on him and in him. In a measure, he can express divine justice by giving his fellow citizen what is rightfully due him. He can serve divine order by helping to regulate the household of men in society. He can reflect God's revealed law as he engages in the formulation of civil law.

Divine Helper of all that is right and good, give us this day high motivation in our legislative considerations that, overcoming selfish designs, we may direct our thoughts and purposes to the attainment of the common good. Only with this expressed intention will we achieve in this day our high and noble objectives; namely, to serve our fellow citizens and Thee, our God and our Judge. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WEINER and Mr. LANE, further reading was dispensed with, and the Journal was approved.

COMMUNICATIONS FROM THE GOVERNOR

APPROVAL OF SENATE BILLS

The Secretary to the Governor being introduced, presented communications in writing from His Excellency,

the Governor, advising that the following Senate Bills had been approved and signed by the Governor:

SB 343, 472, 527, 582, 590, 636, 684, 685, 701, 748 and 757.

NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

MEMBER OF THE STATE BOARD OF MEDICAL EDUCATION AND LICENSURE

August 7, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate James C. Giuffre, M. D., 538 Montgomery School Lane, Wynnewood, Montgomery County, for appointment as a member of the State Board of Medical Education and Licensure, for the term of four years, and until his successor shall have been appointed and qualified, vice Dr. Max M. Strumia, Narberth, resigned.

DAVID L. LAWRENCE.

WORKMEN'S COMPENSATION REFEREE

August 7, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John W. Chapas, 209 Twin Oaks Drive, Pittsburgh 37, Allegheny County, for appointment as Workmen's Compensation Referee, until the third Tuesday of January 1963, and until his successor shall have been appointed and qualified, vice Charles C. McGovern, Pittsburgh, whose term expired.

DAVID L. LAWRENCE.

JUDGE, COURT OF COMMON PLEAS, FAYETTE COUNTY

August 7, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Samuel J. Feigus, 123 Ben Lommond Street, Uniontown, Fayette County, for appointment as Judge of the Court of Common Pleas of the Fourteenth Judicial District of Pennsylvania, composed of the County of Fayette, until the first Monday of January 1962, vice Hon. Edward Dumbauld, resigned.

DAVID L. LAWRENCE.

BILLS SIGNED

The President (Lieutenant Governor John Morgan Davis) in the presence of the Senate signed the following bills:

SB 106, 405, 456 and 589.

HONORABLE TERESSA PIERCE FLETCHER, MEMBER OF HOUSE OF REPRESENTATIVES OF NORTH CAROLINA, PRESENTED TO SENATE

Mr. WADE. Mr. President, we are singularly honored today by a visit of the Honorable Teressa Pierce Fletcher, who is a Member of the House of Representatives from North Carolina. Her district is Alexander County.

She is a distinguished Member of the House of Representatives and, may I say, Mr. President, a Republican.

I would appreciate it very much, sir, if you would extend the official welcome of the Senate to this distinguished guest.

The PRESIDENT. The lady is, indeed, distinguished. Mrs. Fletcher, we are very happy to have you here, Perhaps, you would say a few words to the Members of the Senate.

REMARKS BY HONORABLE TERESSA PIERCE FLETCHER

Mrs. FLETCHER. Mr. President and Members of the Senate, it is indeed a great pleasure for me to be here with you. I happen to have the honor of representing my county of Alexander in the House of Representatives in the State of North Carolina. This past spring was the beginning of my first term. I greatly enjoyed it and enjoyed the work.

I am an attorney by profession, and I happen to be on one of the Judiciary Committees and I also enjoyed that very much. I did a lot of research work and we killed many foolish bills in our committee. In fact, we had the reputation of killing more bills than any other committee in the General Assembly. Believe me, they can come to you with some crazy ideas sometimes.

We have 120 Members in the House of Representatives and fifty in the Senate, which I believe is the same as you have here. We have an even 100 counties. We are having our problems with reapportionment this year. Because of the past census, we have to reapportion the State Senate and we will also lose one Member of Congress. That creates quite a problem because neither the Republicans nor the Democrats want to give up. We have only one Republican Member in Congress, as you know. He is Representative Charles R. Jonas, who is very well known and very well liked. Many Democrats vote for him, although he is a Republican. I do not believe I told you, but I happen to be a Republican.

It is a great deal of pleasure to be here. I will not take up much of your time. If you ever get down my way, come by and see me. I live in Taylorsville, North Carolina, in the western part of the State. It is a small town. We are mountain people and that is where most of the Republicans live in North Carolina, although we are growing. We failed by only seven per cent of electing our Governor in the State of North Carolina this past election. We hope to do a little better next time.

I might say, however, that I like the Democrats very much. They were mighty nice to me down in Raleigh and

we did not have any trouble at all. As soon as they became acquainted with me, the few little local bills which I wanted passed were passed without any trouble whatsoever. I voted with the Democrats on many issues because when I felt they were right, I voted with them. When I felt they were wrong, I did not vote with them. I think that was the way all the Republicans down there did. In other words, politics were largely forgotten as far as I could tell. The main thing was: "You vote for my bill and I will vote for your bill." Perhaps you have a little bit of that here, too. I would not be surprised if you did.

I will not impose further on your time, but I would like to say that it is a great pleasure to meet you. I would like to meet all of you, if I can. However, if I do not meet you here, come and see me if you ever have the opportunity.

The PRESIDENT. Thank you very much, Mrs. Fletcher. Having such a charming Republican woman with us has certainly been a pleasure, as was indicated by the very fine reception she received from both sides of the Senate. We hope that we may have the occasion to see her again.

BILL INTRODUCED AND REFERRED

Mr. BELL presented to the Chair **SB 897**, entitled:

An Act amending the act of June 1, 1959 P. L. 392), entitled "State Employes' Retirement Code of 1959," making certain changes in military leave coverage.

Which was committed to the Committee on State Government.

ANNOUNCEMENT CONCERNING MEETING OF COMMITTEE ON LOCAL GOVERNMENT

Mr. HALUSKA. Mr. President, I would like to announce that tomorrow morning at 11:00 a.m., in Room 301, there will be a special meeting of the Committee on Local Government to discuss two bills,—and two bills only—House bill No. 1438 and House bill No. 1221.

I am making this announcement so that every Member may have the opportunity to attend this meeting and be heard. I ask that all interested Members please attend this meeting.

The PRESIDENT. As stated by Senator Haluska, there will be a special meeting tomorrow morning of the Committee on Local Government to discuss House bill No. 1438 and House bill No. 1221. All Members, having any position on either of these two bills, are invited to be present and they will be heard.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

SB 104 (Pr. No. 1058)—Mr. WEINER. Mr. President, I move that the Senate do nonconcur in the amendments made by the House to Senate bill No. 104, and that the President pro tempore appoint a Committee of Conference on the part of the Senate to confer with a similar committee of the House, if the House takes a position to stand by its amendments.

Mr. LANE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. SEYLER. Mr. President, anticipating a roll call, I desire to be recorded as voting "no".

The PRESIDENT. There will not be a roll call vote. The statement was in the negative and, therefore, does not require a roll call vote.

Mr. SEYLER. I am not asking for a roll call, Mr. President. I am simply stating that I desire to be recorded as voting "no" on any kind of a vote.

The PRESIDENT. Then let your voice be heard.

Mr. EHRGOOD. Mr. President, I am going to vote against the Majority Leader's motion because I have heard, of course, of the alleged compromise which has been worked out in the front office and, after all, I wonder whether this alleged compromise will be part of the Governor's Highway Safety Program. Since everyone seems to be compromising, I wonder whether or not the motorist has been taken into consideration in this compromise when the fifty-five foot tractor and trailer will be put into effect.

Mr. HAYS. Mr. President, I simply want to state that if there should be a roll call, I would vote "no" on this motion.

And the question recurring,

Will the Senate agree to the motion?

A voice vote having been taken, the question was determined in the affirmative, and the motion was agreed to.

Ordered, That the clerk inform the House of Representatives accordingly.

COMMITTEES OF CONFERENCE APPOINTED ON SB 104 AND SB 716

The PRESIDENT. The Chair announces, on behalf of the President pro tempore, the appointment of Committees of Conference on the part of the Senate to confer with similar committees of the House (if the House shall appoint such committees) to consider the differences existing between the two houses in relation to the following bills:

Senate bill No. 104—Messrs. WEINER, YATRON and BERGER.

Senate bill No. 716—Messrs. SILVERT, SEYLER and SHAFER.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS, OVER IN ORDER

SB 486—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

REPORT OF COMMITTEE OF CONFERENCE, OVER IN ORDER

SB 88—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

FINAL PASSAGE CALENDAR

BILL OVER IN ORDER

HB 1082—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

THIRD READING CALENDAR

APPROPRIATION BILL OVER IN ORDER

HB 1198—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

EDUCATION BILLS OVER IN ORDER

SB 130, 646, 683 and 688—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

EDUCATION BILLS ON THIRD READING AMENDED

SB 690 (Pr. No. 803)—Read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. SILVERT, by unanimous consent, offered the following amendments:

Amend Sec. 1, page 2, line 9, by inserting at the end of said line the following: except in school districts of the first class

Amend Sec. 1, page 2, line 11, by inserting at the end of said line the following: except in school districts of the first class

Amend Sec. 1, page 2, line 13, by inserting at the end of said line the following: except in school districts of the first class

On the question,

Will the Senate agree to the amendments?

They were agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. SILVERT.

SB 734 (Pr. No. 854)—Read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. SEYLER, by unanimous consent, offered the following amendments:

Amend Sec. 1 (Sec. 2008), page 3, line 1, by striking out "tuition and boarding" and inserting: lodging

Amend Sec. 1 (Sec. 2008), page 3, lines 1 and 2, by striking out "Sufficient appropriations shall be made for this purpose."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. SEYLER.

EDUCATION BILLS OVER IN ORDER

SB 867 and HB 1377—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

BILL ON THIRD READING AND FINAL PASSAGE

HB 81 (Pr. No. 2552)—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—29

Bell,
Camel,
Devlin,
DiSilvestro,
Donolow,
Ehrgood,
Flack,
Fleming,

Haluska,
Kalman,
Lane,
Mahady,
McCreesh,
McGinnis,
Mullin,

Murray,
Pechan,
Ripp,
Rooney,
Sarraf,
Scott,
Seyler,

Shafer,
Silvert,
Stalsey,
Stiefel,
Van Sant,
Ware, III,
Weiner,

NAYS—18

Berger,
Chapman,
Confair,
Hawbaker,
Hays,

Keller,
Kessler,
Kromer,
Madigan,
Mallery,

McMenamin,
Propert,
Stevenson,
Stroup,

Taylor,
Wade,
Wagner,
Wolfe,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

BILLS OVER IN ORDER

HB 95 and 161—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

SB 195—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILL ON THIRD READING AND FINAL PASSAGE

HB 320 (Pr. No. 2553)—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Bell,
Berger,
Camiel,
Chapman,
Confair,
Devlin,
DiSilvestro,
Donolow,
Flack,
Fleming,
Haluska,
Hawbaker,

Hays,
Kalman,
Keller,
Kromer,
Lane,
Madigan,
Mahady,
McCreesh,
McGinnis,
McMenamin,
Miller,

Mullin,
Murray,
Pechan,
Propert,
Ripp,
Rooney,
Sarraf,
Scott,
Sesler,
Seyler,
Shafer,

Silvert,
Staisey,
Stevenson,
Stiefel,
Stroup,
Taylor,
Van Sant,
Wagner,
Ware, III,
Weiner,
Yatron,

NAYS—5

Ehrgood,
Kessler,

Mallery,

Wade,

Wolfe,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

BILL OVER IN ORDER

SB 353—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILL ON THIRD READING AND FINAL PASSAGE

HB 376 (Pr. No. 413)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,
Berger,

Hays,
Kalman,

Mullin,
Murray,

Staisey,
Stevenson,

Camiel,
Chapman,
Confair,
Devlin,
DiSilvestro,
Donolow,
Ehrgood,
Flack,
Fleming,
Haluska,
Hawbaker,

Keller,
Kessler,
Kromer,
Lane,
Madigan,
Mahady,
Mallery,
McCreesh,
McGinnis,
McMenamin,
Miller,

Pechan,
Propert,
Ripp,
Rooney,
Sarraf,
Scott,
Sesler,
Seyler,
Shafer,
Silvert,

Stiefel,
Stroup,
Taylor,
Van Sant,
Wade,
Wagner,
Ware, III,
Weiner,
Wolfe,
Yatron,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS ON THIRD READING AMENDED

SB 413 (Pr. No. 445)—Read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Messrs. PECHAN and FLEMING, by unanimous consent, offered the following amendments.

Amend Title, page 2, next to last line of Title, by inserting after "health": changing the time for circulating petitions in certain cases

Amend Sec. 1 (Sec. 5.1), page 3, line 14, by inserting after "department": nor earlier than five years following another referendum on the same question

On the question,

Will the Senate agree to the amendments?

Mr. PECHAN. Mr. President, it seems that this bill for some reason or other has been unacceptable to some people. Therefore, I have offered these corrective amendments, which would not allow counties to have a referendum more often than once every five years.

And the question recurring,

Will the Senate agree to the amendments?

The amendments were agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. PECHAN.

HB 522 (Pr. No. 2305)—Read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. ROONEY, by unanimous consent, offered the following amendments:

Amend Title, page 1, fourth line of Title by inserting after "tractors": further providing for the contents of registration cards

Amend Title, page 1, sixth line of Title by striking out "your".

Amend Sec. 1 (Sec. 405), page 3, line 6 by striking out "ALL".

Amend Sec. 1 (Sec. 405), page 3, line 6 by striking out "ADDRESSES" and inserting: address

Amend Sec. 1 (Sec. 407), page 5, line 8 by striking out "ALL".

Amend Sec. 1 (Sec. 407), page 5, line 8 by striking out "ADDRESSES" and inserting: address

Amend Sec. 1 (Sec. 407), page 5, line 10 by striking out "ALL".

Amend Sec. 1 (Sec. 407), page 5, line 10 by striking out "ADDRESSES" and inserting: address

Amend Sec. 1 (Sec. 407), page 5, line 12 by striking out "OR ADDRESSES".

Amend Sec. 5 (Sec. 814), page 23, line 7 by striking out "AND SECOND".

Amend Sec. 5 (Sec. 814), page 23, line 8 by inserting after "departments": and when a fire department has three (3) or more pieces of apparatus a second assistant chief of the fire department

On the question,

Will the Senate agree to the amendments?

They were agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. ROONEY.

BILLS ON THIRD READING AND FINAL PASSAGE

HB 564 (Pr. No. 609)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camel,	Keller,	Pechan,	Stiefel,
Chapman,	Kromer,	Propert,	Stroup,
Confair,	Lane,	Ripp,	Taylor,
Devlin,	Madigan,	Rooney,	Van Sant,
DiSilvestro,	Mahady,	Sarraf,	Wade,
Donolow,	Mallery,	Scott,	Wagner,
Ehrgood,	McCreesh,	Sesler,	Ware, III,
Flack,	McGinnis,	Seyler,	Weiner,
Fleming,	McMenamin,	Shafer,	Wolfe,
Haluska,	Miller,	Silvert,	Yatron,
Hawbaker,			

NAYS—1

Kessler,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SB 644 (Pr. No. 1046)—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. HAYS. Mr. President, I desire to be recorded as voting "no".

The PRESIDENT. The gentleman will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Bell,	Hawbaker,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camel,	Keller,	Pechan,	Stiefel,
Chapman,	Kromer,	Propert,	Stroup,
Confair,	Lane,	Ripp,	Taylor,
Devlin,	Madigan,	Rooney,	Van Sant,
DiSilvestro,	Mahady,	Sarraf,	Wagner,
Donolow,	Mallery,	Scott,	Ware, III,
Ehrgood,	McCreesh,	Sesler,	Weiner,
Flack,	McGinnis,	Seyler,	Wolfe,
Fleming,	McMenamin,	Shafer,	Yatron,
Haluska,	Miller,	Silvert,	

NAYS—3

Hays, Kessler, Wade,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING AMENDED

SB 702 (Pr. No. 1141)—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. WEINER, by unanimous consent offered the following amendment:

Amend Sec. 1, page 2, line 10 by striking out "fifteen" and inserting "ten".

On the question,

Will the Senate agree to the amendment?

Mr. BELL. Mr. President, may it be noted that I am opposing this amendment? However, I am not going to ask for a roll call.

Mr. WEINER. Mr. President, might I point out to the gentleman that this is really a corrective amendment? It corrects the original amendments which corrected the last part of the bill,—I think it is page 5 and page 6 of the bill—but failed to correct page 2 and page 3. This amendment just corrects it again, or else the bill does not read properly as it is now.

Mr. BELL. Mr. President. I desire to interrogate the Majority Leader.

The PRESIDENT. Will the gentleman from Philadelphia, Mr. Weiner, permit himself to be interrogated?

Mr. WEINER. I will, Mr. President.

Mr. BELL. Mr. President, will the gentleman from Philadelphia state whether or not this amendment cuts the mileage for constables from fifteen cents, which is sought by the bill, to ten cents per mile?

Mr. WEINER. Mr. President, the previous amendments cut the mileage, but that is not being done by this amendment. That was done by last week's amendments. What this amendment does is merely make it uniform throughout the bill. If you will look at the bill now, on page 2, you will note there has been no change made, and that on page 5 and page 6 of the bill changes have been made. You cannot have the bill reading two different ways in two different places.

If I were against the measure, I would say that I would be against the amendments also, because the Governor cannot sign this bill the way it is now.

Mr. BELL. Mr. President, I would be very happy if they amended it back to the way it was—to fifteen cents per mile.

Mr. WEINER. Mr. President, the gentleman well knows that all he has to do is offer an amendment and take his chances like all of us do.

Mr. BELL. Mr. President, kindly note my objection to this amendment.

And the question recurring,

Will the Senate agree to the amendment?

A voice vote having been taken, the question was determined in the affirmative and the amendment was agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. WEINER.

BILL OVER IN ORDER

SB 750—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILL PLACED ON CALENDAR UNDER EDUCATION BILLS ON THIRD READING

HB 810 (Pr. No. 892)—Mr. WEINER. Mr. President, I request that House bill No. 810, Printer's No. 892, be placed on tomorrow's Calendar under Education Bills on Third Reading.

Mr. BERGER. Mr. President, this bill can in no sense, in my opinion, be considered part of the so-called education package.

I would inquire if Senator Weiner will permit himself to be interrogated.

The PRESIDENT. Will the gentleman from Philadelphia, Mr. Weiner, permit himself to be interrogated?

Mr. WEINER. I will, Mr. President.

Mr. BERGER. Mr. President, I would like to ask the Majority Leader whether or not he would consider this as part of the education package that we are keeping on the Calendar? I understand this bill simply is to correct an inequity existing between professional employees of county boards and regular professional employees of school districts.

Mr. WEINER. Mr. President, the gentleman is correct in what he says the bill does. However, if you will look at the education bills on page 2 and page 3 of today's Calendar, you will note there are a number of bills on there that are part of the education program which are not directly concerned with the Governor's recommendations.

I believe if we are going to handle this problem dealing with the employees and dealing with the county school boards, I think we ought to do it as a unit instead of doing it piecemeal. In other words, we are liable to pass this legislation and some of us might even forget that we have done this, and we might pass some other legislation which might be inconsistent or incongruous with what we have already done.

I am sure that a day or two will not hurt this matter, unless there is some extreme urgency for moving it. That is why I ask that the bill appear with the education bills on the Calendar.

Mr. BERGER. Mr. President. I am not objecting to it appearing there. However, it does not seem to me to be one of the bills which ought to be on that particular list. I agree there are a number of them on there that we could just as well move without affecting the general education situation as far as legislation is concerned.

This has nothing to do with it. I mean, we could work on this bill, I would assume, under any circumstances, whether or not there was a separate category or whether we wanted to wait and consider everything later. I do not quite get it.

The PRESIDENT. Are you, therefore, withdrawing your objection to this bill appearing under Education Bills on Third Reading?

Mr. BERGER. Mr. President, I did not object. I merely inquired as to why it should.

The PRESIDENT. The Chair thought there was at

least a hint of an objection, and wanted to make sure it was not there.

There being no objection, the bill will be placed on tomorrow's Calendar, under Education Bills on Third Reading.

BILLS ON THIRD READING AND FINAL PASSAGE

SB 866 (Pr. No. 1100)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarra,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

SB 871 (Pr. No. 1143)—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarra,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

SB 875 (Pr. No. 1124)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarrafa,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

HB 1015—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILL ON THIRD READING, DEFEATED ON FINAL PASSAGE

HB 1102 (Pr. No. 1219)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—22

Camiel,	Lane,	Murray,	Silvert,
Devlin,	McCreesh,	Ripp,	Staisey,
DiSilvestro,	McGinnis,	Rooney,	Stiefel,
Donolow,	McMenamin,	Sarrafa,	Weiner,
Haluska,	Miller,	Seyler,	Yatron,
Kalman,	Mullin,		

NAYS—28

Bell,	Hawbaker,	Mallery,	Stroup,
Berger,	Hays,	Pechan,	Taylor,
Chapman,	Keller,	Propert,	Van Sant,
Confair,	Kessler,	Scott,	Wade,
Ehrgood,	Kromer,	Sesler,	Wagner,
Flack,	Madigan,	Shafer,	Ware, III,
Fleming,	Mahady,	Stevenson,	Wolfe,

Less than a majority of all the Senators having voted "aye," the question was determined in the negative, and the bill was defeated.

BILL ON THIRD READING AND FINAL PASSAGE

HB 1190 (Pr. No. 2420)—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. WEINER. Mr. President, may we be at ease a moment?

The PRESIDENT. The Senate will be at ease.

(The Senate was at ease.)

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—26

Bell,	Kalman,	Mullin,	Seyler,
Camiel,	Lane,	Murray,	Silvert,
Devlin,	Mahady,	Ripp,	Staisey,
DiSilvestro,	McCreesh,	Rooney,	Stiefel,
Donolow,	McGinnis,	Sarrafa,	Weiner,
Haluska,	McMenamin,	Sesler,	Yatron,
Hays,	Miller,		

NAYS—24

Berger,	Hawbaker,	Pechan,	Taylor,
Chapman,	Keller,	Propert,	Van Sant,
Confair,	Kessler,	Scott,	Wade,
Ehrgood,	Kromer,	Shafer,	Wagner,
Flack,	Madigan,	Stevenson,	Ware, III,
Fleming,	Mallery,	Stroup,	Wolfe,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL OVER IN ORDER

HB 1217—Mr. WEINER. Mr. President, I request that House Bill No. 1217 go over in its order, as there are amendments to this bill which have not arrived as yet.

The PRESIDENT. There being no objection, the bill will go over in its order.

BILL ON THIRD READING AND FINAL PASSAGE

HB 1446 (Pr. No. 2562)—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarrafa,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

BILL ON THIRD READING, DEFEATED ON FINAL PASSAGE

HB 1515 (Pr. No. 1868)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

Mr. WEINER. Mr. President, this bill allows a person

to vote if his name is either on the street list or in the binder.

One of the reasons why this bill is necessary is that there are a number of people who are disenfranchised because they come to a polling place and find that their cards are not in the binder. This necessitates them going all the way down to City Hall. At the last election, we were able to obtain, by special order of the court, persons to sit in various districts. This applies only to the city of Philadelphia where you are involved with over two and one-half million people.

Therefore, Mr. President, I think this legislation is necessary. There are almost sixty wards in the city of Philadelphia and there are a comparable number of divisions which fit with each of these wards. It entails almost 3,000 divisions and committeemen throughout the city. Due to the great number of names which exist and this number of divisions and wards, it is quite possible that sometimes they make an error either in putting the name in the binder or putting it on the street list.

In order for us to have a more orderly election, Mr. President, and in order not to disenfranchise anyone, I respectfully ask that my colleagues vote "aye" on this measure.

And the question recurring,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Camiel,	Lane,	Mullin,	Seyler,
Devlin,	Mahady,	Murray,	Silvert,
DiSilvestro,	McCreesh,	Ripp,	Staisey,
Donolow,	McGinnis,	Rooney,	Stiefel,
Haluska,	McMenamin,	Sarraf,	Weiner,
Hays,	Miller,	Sesler,	Yatron,
Kalman,			

Bell,	Hawbaker,	Pechan,	Taylor,
Berger,	Keller,	Propert,	Van Sant,
Chapman,	Kessler,	Scott,	Wade,
Confair,	Kromer,	Shafer,	Wagner,
Ehrgood,	Madigan,	Stevenson,	Ware, III,
Flack,	Mallery,	Stroup,	Wolfe,
Fleming,			

The PRESIDENT. Gentlemen, the hour has arrived. The vote on the final passage of House bill No. 1515 is 25 "yeas" and 25 "nays".

In accordance with an opinion of the Attorney General, the Lieutenant Governor, as President of the Senate, has the right to vote in the case of a tie on the final passage of a bill. This bill refers to the city of Philadelphia, in which I make my home.

Mr. BERGER. Mr. President, I do not wish to interrupt the—

The PRESIDENT. Are you going to influence the vote of the President of the Senate?

Mr. BERGER. I certainly hope to, Mr. President.

Mr. President, before the President undertakes to exercise what I am sure he is going to regard as the privilege and prerogative of the office of Lieutenant Governor, I would like to state that I believe, although the Attorney General has given an opinion on this matter stating that the Lieutenant Governor may vote on the passage of a bill in the case of a tie, we are very much in disagreement with that opinion. We feel the Attorney General could have arrived at the opposite conclusion as well, from the reasons set forth in it.

Consequently, Mr. President, we will be prepared to

protest the vote of the Lieutenant Governor upon the passage of a bill. We feel the Constitution does not authorize the President of the Senate, the Lieutenant Governor, to vote upon the passage of a bill, in the case of a tie, although he certainly is, without question, entitled to vote upon a resolution, a motion, or any other matter which does not involve a law.

Therefore, Mr. President, I wish to have this protest and this disagreement with the opinion of the Attorney General, and the course which the Lieutenant Governor is about to take, placed upon the record.

The PRESIDENT. The Senate will be at ease a few moments.

(The Senate was at ease.)

Mr. BERGER. Mr. President, I believe the vote was announced as 25-25. Am I correct?

The PRESIDENT. You are correct.

RECONSIDERATION OF HB 1515

Mr. BERGER. Mr. President, I move that the Senate do now reconsider the vote by which House bill No. 1515, Printer's No. 1868, failed of final passage.

The PRESIDENT. How did the Senator vote?

Mr. BERGER. Mr. President, I voted with the prevailing side.

Mr. FLEMING. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. FLEMING. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. BERGER. Mr. President, I request that House bill No. 1515 go over in its order and appear on tomorrow's Final Passage Calendar.

The PRESIDENT. There being no objection, the bill will be placed on tomorrow's Final Passage Calendar.

DAUGHTERS OF HONORABLE FRANCIS R. SMITH, INSURANCE COMMISSIONER, PRESENTED TO SENATE

The PRESIDENT. At this time, may the Chair present two charming young ladies to the Members of the Senate? They are Miss Joan and Miss Kathleen Smith, who are the daughters of our Insurance Commissioner, Francis R. Smith. Will they please rise?

We are very happy that you accompanied your distinguished father here today. We are glad to have you with us. For a moment, I thought you were going to be in on a history-making event.

MRS. LEONARD C. STAISEY PRESENTED TO SENATE

Mr. STAISEY. Mr. President, generally, when we make introductions, we say that is a great pleasure or that it is a great honor. However, it is a matter of great personal pride to me to introduce a very gracious and lovely lady. She is the one sure vote I have in my district. I am speaking about my wife, Emilie Consuelo Staisey.

The PRESIDENT. We are very happy to have the lady with us today, Senator Staisey.

Mr. STAISEY. Mr. President, I think I have embarrassed the lady. I wonder if I might have the protection of the State Police to the hotel.

The PRESIDENT. I am sure you would have the protection of the entire body of the State Senate.

Mr. STAISEY. Mr. President, I wish to make one final comment.

Mrs. Staisey and Senator John Devlin both celebrated their birthdays yesterday. May I say that he is her senior?

The PRESIDENT. Congratulations to you fellow Leoites.

CALENDAR

BILL ON THIRD READING, DEFEATED ON FINAL PASSAGE

HB 1551 (Pr. No. 2515)—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

VERIFICATION OF THE ROLL

Mr. EHRGOOD. Mr. President, I ask for a verification of the roll.

The PRESIDENT. Request has been made to have the roll verified. The clerk will proceed to call the names of those recorded as voting in the affirmative.

The clerk read the names of those recorded as having voted in the affirmative as follows:

Camiel,	Kalman,	Miller,	Sesler,
Devlin,	Lane,	Mullin,	Seyler,
DiSilvestro,	Mahady,	Murray,	Silvert,
Donolow,	McCreesh,	Ripp,	Staisey,
Haluska,	McGinnis,	Rooney,	Stiefel,
Hays,	McMenamin,	Sarraf,	Weiner,
			Yatron,

The PRESIDENT. Are there any corrections? The Chair hears none. The affirmative roll will stand as verified.

The clerk will now proceed to call the names of those recorded as voting in the negative.

The clerk read the names of those recorded as having voted in the negative as follows:

Bell,	Hawbaker,	Pechan,	Taylor,
Berger,	Keller,	Propert,	Van Sant,
Chapman,	Kessler,	Scott,	Wade,
Confair,	Kromer,	Shafer,	Wagner,
Ehrgood,	Madigan,	Stevenson,	Ware, III,
Flack,	Mallery,	Stroup,	Wolfe,

The PRESIDENT. Are there any corrections? The Chair hears none. The negative roll will stand as verified.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—25

Camiel,	Kalman,	Miller,	Sesler,
Devlin,	Lane,	Mullin,	Seyler,
DiSilvestro,	Mahady,	Murray,	Silvert,
Donolow,	McCreesh,	Ripp,	Staisey,
Haluska,	McGinnis,	Rooney,	Stiefel,
Hays,	McMenamin,	Sarraf,	Weiner,
			Yatron,

NAYS—24

Bell,	Hawbaker,	Pechan,	Taylor,
Berger,	Keller,	Propert,	Van Sant,
Chapman,	Kessler,	Scott,	Wade,
Confair,	Kromer,	Shafer,	Wagner,
Ehrgood,	Madigan,	Stevenson,	Ware, III,
Flack,	Mallery,	Stroup,	Wolfe,

Less than a majority of all the Senators having voted "aye," the question was determined in the negative, and the bill was defeated.

BILL ON THIRD READING AND FINAL PASSAGE

HB 1554 (Pr. No. 1937)—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kromer,	Propert,	Stroup,
Confair,	Lane,	Ripp,	Taylor,
Devlin,	Madigan,	Rooney,	Van Sant,
DiSilvestro,	Mahady,	Sarraf,	Wade,
Donolow,	Mallery,	Scott,	Wagner,
Ehrgood,	McCreesh,	Sesler,	Ware, III,
Flack,	McGinnis,	Seyler,	Weiner,
Fleming,	McMenamin,	Shafer,	Wolfe,
Haluska,	Miller,	Silvert,	Yatron,
Hawbaker,			

NAYS—1

Kessler,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, that the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

HB 1588—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILL ON THIRD READING AND FINAL PASSAGE

HB 1617 (Pr. No. 2556)—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, that the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

BILLS OVER IN ORDER

HB 1621 and 1678—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

PERMISSION TO ADDRESS SENATE

Mr. VAN SANT asked and obtained unanimous consent to address the Senate.

Mr. VAN SANT. Mr. President, many of us were shocked to learn last week of the resignation of Harrington Adams as Assistant Attorney General for the Commonwealth of Pennsylvania.

Mr. Adams, who comes from Bethlehem and who is represented by Senator Rooney and myself here in the Senate, has served under six Governors, and on several occasions has served as the Acting Attorney General for the Commonwealth.

It is my belief that it is fitting that such service to the Commonwealth, regardless of political affiliation, should be recognized. At this time, on behalf of my colleague, Senator Rooney, and all of my colleagues on the Republican side, with the invitation for anyone else to join us on the other side of the aisle, I read in place and ask for the immediate consideration of this resolution.

SENATE RESOLUTION

EXTENDING TO HARRINGTON G. ADAMS THE THANKS AND DEEP APPRECIATION OF THE SENATE

Messrs. VAN SANT, WEINER, LANE, SILVERT, ROONEY and ENTIRE REPUBLICAN MEMBERSHIP, by unanimous consent, offered the following resolution (Serial No. 93), which was read as follows:

In the Senate, August 7, 1961.

On August 15, 1961, the Commonwealth of Pennsylvania will be losing the services of one of its most faithful public servants, for on that day Attorney Harrington G. Adams' resignation as Deputy Attorney General will become effective.

Mr. Adams, who resides in Bethlehem, is an outstanding example of the career people who form the backbone of the State Government and survive shifts of political control.

Harrington started with the State in 1939 and since that time he has served under four Republican Governors and two Democrats. During his span in the Justice Department, he has been named Acting Attorney General no less than three different times and by three different Governors.

The significant point about Mr. Adams' service to the State is found in his role as a bridge between Administrations. Within the government structure, there are many like him who survive exercise of the spoils system because even the most political-minded executive knows the need for a continuity of some sort to prevent a completely chaotic condition when political turnover is taking its toll.

The people of Pennsylvania should be thankful that we have such fine spirited public citizens who are willing to devote their talents to the populace; therefore be it

RESOLVED, That the Senate of the Commonwealth extend its heartfelt thanks and deep appreciation for a job well done by Harrington G. Adams; and be it further

RESOLVED, That we wish him the best of luck in his retirement; and be it further

RESOLVED, That a copy of this resolution be forwarded to Deputy Attorney General Harrington G. Adams in the Justice Department.

On the question,

Will the Senate adopt the resolution?

Mr. LANE. Mr. President, I would like very much to have my name added to this resolution. I had quite an experience with the distinguished gentleman from Bethlehem, Harrington Adams. I must say that most of us on this side of the aisle feel he is one of the greatest Deputy Attorneys General Pennsylvania has ever had.

The PRESIDENT. The Chair suggests that you sign the resolution, Senator.

And the question recurring,

Will the Senate adopt the resolution?

The resolution was adopted.

PERMISSION TO ADDRESS SENATE

Mr. STIEFEL asked and obtained unanimous consent to address the Senate.

Mr. STIEFEL. Mr. President, this is probably one of the first resolutions to be offered for Members of the Senate hailing from other counties.

In connection with the Centennial of the Civil War, this is a tribute to the volunteers of Warren County, who flocked to the defense of the Union in such numbers that the Pennsylvania units were not sufficient to accommodate them. Therefore, the same volunteers joined the New York Militia, and in that way participated in the various battles for the preservation of the Union.

On behalf of Senator Chapman and myself, I am offering this resolution and ask for its immediate adoption.

SENATE RESOLUTION

TRIBUTE TO THE YOUNG MEN OF WARREN COUNTY WHO SERVED IN THE UNION FORCES DURING THE CIVIL WAR

Messrs. STIEFEL and CHAPMAN, by unanimous consent, offered the following resolution (Serial No. 94), which was read, considered and adopted:

In the Senate, August 7, 1961.

WHEREAS, The Confederate attack on Fort Sumter on April 12, 1861, and President Lincoln's proclamation calling out militia and volunteers to defend the Union, brought an overwhelming response throughout the Commonwealth of Pennsylvania and nowhere greater than in Warren County; and

WHEREAS, The number of men volunteering for service from Warren County exceeded what could be taken into the regiments authorized for Pennsylvania, and many of them joined New York State Regiments; and

WHEREAS, The entire company, known as the Tidicut Rifles, joined General Daniel Sickles' New York Brigade at Staten Island. Company B of the Ninth New York Cavalry was recruited almost entirely from Sugar Grove Township in Warren County, and many other Chautauqua County companies included young men who had crossed the State line from Warren County, Pennsylvania; therefore be it

RESOLVED, That the Senate of the Commonwealth of Pennsylvania hereby pays especial tribute to the young men from Warren County whose zeal to defend the Union from disruption during the Civil War led them to enlist in New York State companies rather than be denied the opportunity to serve their Country.

SENATE RESOLUTION

CONGRATULATIONS OF THE SENATE EXTENDED TO JUSTICE JOHN C. BELL UPON HIS ELEVATION TO CHIEF JUSTICE OF THE SUPREME COURT OF PENNSYLVANIA

Messrs. TAYLOR and DiSILVESTRO, by unanimous

consent, offered the following resolution (Serial No. 95), which was read as follows:

In the Senate, August 7, 1961.

The Commonwealth of Pennsylvania can be justly proud in the elevation of Justice John C. Bell to the high office of Chief Justice of the Supreme Court of Pennsylvania.

Chief Justice Bell has devoted many years of his life to public service, having served as Secretary of Banking of the Commonwealth of Pennsylvania, Lieutenant Governor, President of the Senate and Governor of Pennsylvania, and since March 18, 1950, he has served as Justice of the Supreme Court of Pennsylvania.

Because of his background and judicial temperament, we know that he will exercise the powers and duties of his office without fear or prejudice; therefore be it

RESOLVED, That the Senate of the Commonwealth of Pennsylvania congratulate Justice John C. Bell on his elevation to the high office of Chief Justice of the Supreme Court of Pennsylvania and commends him for his past public service to the Commonwealth of Pennsylvania; and be it further

RESOLVED, That a copy of this resolution be transmitted to Chief Justice John C. Bell at his home in Wynnewood, Montgomery County, Pennsylvania.

On the question,

Will the Senate adopt the resolution?

The PRESIDENT. The Chair might make just one remark. I am glad to note that former Lieutenant Governors of the Commonwealth of Pennsylvania are appreciated.

And the question recurring,

Will the Senate adopt the resolution?

The resolution was unanimously adopted.

The PRESIDENT. The resolution has been unanimously adopted, and that is good for the Lieutenant Governors.

BIRTHDAY FELICITATIONS EXTENDED TO SENATOR SAMUEL B. WOLFE

Mr. VAN SANT. Mr. President, unfortunately, The Pennsylvania Manual does not list the birthdate of one of our distinguished Members, who has one of the most illustrious war records of any of us. He is a man who served in the House of Representatives in the Sessions of 1920 and 1922, and a man who served in the Spanish-American War, the Mexican Border War, World War I and World War II. He distinguished himself in service there and retired as a Brigadier General.

On Friday, August 4th, this gentleman celebrated his eighty-third birthday. I refer to our distinguished colleague, Senator Samuel Wolfe.

The PRESIDENT. Senator Wolfe, we are very happy that you celebrated your eighty-third birthday, and we hope you have many more to celebrate.

BILLS INTRODUCED AND REFERRED

Messrs. RIPP and STIEFEL, by unanimous consent, presented to the Chair **SB 898**, entitled:

An Act amending the act of April 20, 1956 (P. L. 1478), entitled "An act creating a commission to arrange plans for the celebration of the One-hundredth Anniversary of the Battle of Gettysburg and Lincoln's Gettysburg Address; and making an appropriation," increasing the membership of the commission.

Which was committed to the Committee on Historical Preservation.

Messrs. RIPP and WEINER, by unanimous consent, presented to the Chair **SB 899**, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code," clarifying the activities relating to the exhibition of obscene matter which are prohibited and further defining the term "obscene".

Which was committed to the Committee on Judiciary General.

They also, by unanimous consent, presented to the Chair **SB 900**, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code," further defining the unlawful activities relating to obscene exhibitions.

Which was committed to the Committee on Judiciary General.

Messrs. SHAFER, SARRAF, WARE and YATRON, by unanimous consent, presented to the Chair **SB 901**, entitled:

An Act amending the act of May 13, 1909 (P. L. 520), entitled "Pure Food Law," by changing the labeling requirements relating to artificial sweetening agents.

Which was committed to the Committee on Agriculture.

BILL REREFERRED

Mr. YATRON, by unanimous consent, from the Committee on Agriculture, returned to the Senate, **SB 894**, which was rereferred to the Committee on Public Health and Welfare.

SECOND READING CALENDAR

APPROPRIATION BILLS ON SECOND READING

HB 1397 (Pr. No. 2191) and **HB 1579 (Pr. No. 1980)**—Read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

EDUCATION BILLS OVER IN ORDER

SB 611, 613 and **HB 944**—Without objection, the bills were passed over in their order at the request of Mr. SEYLER.

BILLS OVER IN ORDER

HB 36—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

HB 337—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILL RECOMMITTED

SB 363 (Pr. No. 386)—Upon motion of Mr. BERGER, seconded by Mr. PECHAN, and agreed to, the bill was recommitted to the Committee on Local Government.

BILL ON SECOND READING

SB 375 (Pr. No. 1154)—Read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

SB 473—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILL ON SECOND READING

HB 518 (Pr. No. 2355)—Read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

HB 573, SB 598, HB 621, SB 651, 665, 666 and HB 720—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

BILLS ON SECOND READING

SB 742 (Pr. No. 1151) and SB 801 (Pr. No. 979)—Read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

SB 806 (Pr. No. 984)—The first section was read.
On the question,
Will the Senate agree to the section?
Mr. HAWBAKER offered the following amendment:

Amend Sec. 1 (Sec. 1851), page 2, line 18; page 3, lines 1 to 19; page 4, lines 1 to 3, by striking out "for each child or adult in average daily mem-" in line 18, page 2, all of lines 1 to 19, page 3, and all of lines 1 to 3, page 4.

It was agreed to.
The section was agreed to as amended.
The second section was read and agreed to.
The title was read.
On the question,
Will the Senate agree to the title?
Mr. HAWBAKER offered the following amendment:

Amend Title, page 1, last two lines of Title, by striking out "providing for tuition charges and authorizing the withholding of certain appropriations."

It was agreed to.
The title was agreed to as amended.
Without objection, the bill, as amended, was passed over in its order at the request of Mr. BERGER.

BILLS OVER IN ORDER

HB 826—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

SB 828 and 835—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

BILL ON SECOND READING AMENDED

SB 836 (Pr. No. 1157)—The first and second sections were read and agreed to.
The third section was read.
On the question,
Will the Senate agree to the section?
Mr. DEVLIN offered the following amendment:

Amend Sec. 3, page 4, line 17, by striking out "Attorney's Fees Allowed by County Officials."

It was agreed to.
The section was agreed to as amended.
The fourth section and title were read and agreed to.
Without objection, the bill, as amended, was passed over in its order at the request of Mr. DEVLIN.

BILLS OVER IN ORDER

SB 865—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

SB 876 and 877—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

HB 911—Without objection, the bill was passed over in its order at the request of Mr. HALUSKA.

BILL ON SECOND READING

HB 945 (Pr. No. 1046)—Read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

HB 1085, 1124 and 1125—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

HB 1162—Without objection, the bill was passed over in its order at the request of Mr. LANE.

HB 1216—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILL ON SECOND READING

HB 1220 (Pr. No. 2554)—Read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

HB 1251—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

HB 1275, 1276, 1277, 1278, 1279, 1280 and 1281—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

HB 1335—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

HB 1422 and 1427—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

HB 1473—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILLS ON SECOND READING

HB 1498 (Pr. No. 1846) and HB 1510 (Pr. No. 2059)—Read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

HB 1519, 1578, 1599, 1683 and 1704—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

BILL ON SECOND READING

HB 1793 (Pr. No. 2366)—Read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

STATEMENT BY THE MAJORITY LEADER CONCERNING SENATE BILL NO. 668, PRINTER'S NO. 778

Mr. WEINER. Mr. President, I would like to point out, for the purpose of the record, that on page 22 of today's Calendar, I believe the action taken by the Senate last week was that Senate Bill No. 668, Printer's No. 778, be recommitted to the Committee on Agriculture. It now

appears today, again, on our Calendar and I believe that to be in error.

The PRESIDENT. Senator Weiner, I believe that has been corrected.

BILLS INTRODUCED AND REFERRED

Messrs. BERGER, PECHAN and ROONEY, by unanimous consent, presented to the Chair **SB 902**, entitled:

An Act amending the act of June 12, 1931 (P. L. 510), entitled, as amended, "An act providing for the licensure and regulation of certain private nursing homes, private convalescent homes and private hospitals; . . ." providing for the transfer of licenses to the purchasers of private nursing homes, private convalescent homes and private hospitals, from the vendors of the same, provided only that such purchasers are found to be proper and responsible persons.

Which was committed to the Committee on Public Health and Welfare.

Mr. McCREESH, by unanimous consent, presented to the Chair **SB 903**, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code," further defining the unlawful activities relating to obscene literature and objects.

Which was committed to the Committee on Judiciary General.

Messrs. McCREESH, LANE, SCOTT and STEVENSON, by unanimous consent, presented to the Chair **SB 904**, entitled:

An act amending the act of June 1, 1956 (P. L. 1997), entitled "An act relating to comic books, magazines and other publications; prohibiting and regulating the sale thereof in certain instances; and imposing penalties," clarifying the comic books, magazines and other publications the sale of which is prohibited.

Which was committed to the Committee on Judiciary General.

PETITIONS AND REMONSTRANCES

Mr. BELL. Mr. President, the citizens of Delaware County have been outraged about a matter which apparently has come to a head today. Today, the news medium carried a story stating that four townships in Delaware County, and some of the townships in Bucks County, under a bill which is about to be introduced somewhere, are to be annexed into various Congressional Districts of the city of Philadelphia.

I have in my possession two telegrams. One is from the Secretary of the Board of Supervisors, in Newtown Township, Delaware County. The other telegram is from the President of the Board of Commissioners of Haverford Township, Delaware County. They are protesting this annexation of voters of Delaware County into a Philadelphia Congressional District.

I do not want this to be misunderstood. This is not a personal attack on a very fine lady; namely, Mrs. Kitty Granahan, who represents the Second Congressional District and who has been loyal and faithful to the city of Philadelphia. She has done a fine job for the city of Philadelphia. However, as fate would have it, these four townships are now to be annexed into the Second Congressional District.

Mr. President, rather, I attack this move on a principle.

You know, Philadelphia has 2,002,515 people, according to the last census. It takes approximately 419,000 to justify a Congressman. Five Congressmen would require a population of 2,085,000 people. Six Congressmen would require 2,460,000. Philadelphia is not entitled to six Congressmen. They just barely spread to five Congressmen.

What is being done to keep six Philadelphia Democrats in office? Here we have a scheme to annex, into Philadelphia's Congressional Districts, the voters of a part of Delaware County and Bucks County. Democrats and Republicans, alike, in my county, are up in arms over this bartering, in bodies, of my constituents.

The Delaware County Labor Council, of the C.I.O.-A.F. of L., has condemned this move. The Delaware County Council of the V.F.W.—and nobody can call them political—has denounced this move. This is an invasion of the basic principles of democratic government; that is, the right of American citizens to be represented by one of their own neighbors.

Mr. President, I have some figures here. I find that these four townships have a total of 71,100 people residing within their confines. They produced a Republican majority in 1961 of approximately 9,200 votes. However, in 1959, they produced a Republican majority of approximately 23,800 votes.

I am just warning those who call the moves from City Hall in Philadelphia that if this goes through, there will be a Republican Congressman in that district. The people in my county, Republicans and Democrats alike, in this district which they seek to annex, are going to vote solidly in opposition to it. You know, these people live close to Philadelphia. They are suspicious of the designs of City Hall in Philadelphia. We have had to fight against the wage tax, which is ancient history in this Chamber. In 1955-1956, we had the fight of the regional supergovernment plan. These voters and citizens from my District are very suspicious of anybody, who is controlled by City Hall in Philadelphia, coming out to be their representative. We in Delaware County resent any Philadelphia intrusions into our county.

Personally, I condemn and I will fight this scheme. Why are these gerrymandering tactics wrong? One of the basic principles of American citizenship is the right to be represented in Congress by men and women whose interests are akin to their constituents. This is violated by this scheme.

If Radnor, Haverford, Marple and Newtown Townships are incorporated into a Philadelphia Congressional District, where will be the loyalty of the incumbent of that Congressional District? Where will it lie? Will it lie with City Hall in Philadelphia or with my constituents in Delaware County? The people of Delaware County protest the incorporation of the citizens of these four townships into the political slavery of the Philadelphia Democratic machine. I have received hundreds of protest letters. However, I only heard of one person in Delaware County who is favorable to this scheme. That was in a press release which was issued by the Delaware County Democratic Chairman, Mr. Connor.

Last spring, one Philadelphia Congressman is reported to have said: "Philadelphia Democrats carried Pennsylvania for Kennedy in 1960 and nobody is going to take a Congressional seat from Philadelphia." I serve notice on this gentleman that politics does not mean feudal owner-

ship of the electors. You cannot barter with the bodies of our citizens to self-perpetuate a political feudal dynasty. People are not to be treated as sacks of cement. Seventy-one thousand, one hundred Delaware Countians are not to be shipped into the political domination of Philadelphia merely to perpetuate six Congressional seats.

Mr. WEINER. Mr. President, first of all, the gentleman is completely out of order in discussing a measure that has just been introduced over in the House and is not even in the Senate. Be that as it may, I would like to point out to the gentleman that the median figure used in arriving at the number of constituents any Congressman will have is 419,000 or 420,000, for this discussion.

Down in the Delaware County area where this gentleman comes from, there are 560,000 people. That means approximately one hundred and some thousand people are without representation.

Secondly, this is not new, this is not shocking and this is not a development which has not taken place. I would like to respectfully point out to the gentleman that county lines have been set up the same as townships, boroughs, and all of these other manifestations that we have in our society, primarily because communications between the people were so bad. They were set up primarily to have a county seat so that people would know where to go, and they did not make it too far distant so that they could not travel to these different points.

Today, Senator, I would like to point out that Delaware County and the counties surrounding Philadelphia enjoy many of the things that they have because of the city of Philadelphia. This is the hub around which revolves the entire community. You share in our police powers, you share in our fire fighting facilities, you share in our water programs and you also share in the denaturing of that water so that it becomes usable again after industry or some of the homes have used it. This is the entire community that makes up the Delaware County area.

I would think, Senator, coming from your area, having the city of Chester in your area and having the myriad problems that go on in that community,—to wit., one of your large plants moved out and the help that you needed came from the city of Philadelphia and the communities surrounding it—that you would be more interested in having a Legislature that is interested in those problems and that is sympathetic to them, instead of continuing on with having people who are not in sympathy with the big communities, not in sympathy with the large city areas and not in sympathy with the programs and problems that you are trying to forward in this Body yourself.

For example, let us take one or two of the bills which you have introduced in this Session. They certainly do not militate on behalf of the type of people who represent the Congress or represent these Members of the Legislature here today. However, people who come from the big cities think along these same lines, and I think you are to be congratulated that you are getting around to that type of thinking and that you are moving in that direction to try to help your community.

Basically, you are talking about a Port Authority down in Chester, which I think is a forward-thinking process which moves in the direction in which we have been moving in Philadelphia and have been moving for some time.

Many of the things that happen in that community, where you are representing the people, are needful of what the things are that are in Philadelphia. You remove the Philadelphia area from this entire scene and see how that community of yours will thrive, see how far they will go, see what your transportation problems will be, and see what the entire picture will be. Take away the taxing power that the city of Philadelphia provides, not only in the National picture but in the State, and see what your community will suffer and see what the entire State will have to make up if we take this out of it.

Instead of you taking the position which you think is a politically sound one and with which I happen to disagree, I think you would rather take the position to get people who are sympathetic to the type of things that you are interested in, regardless of whether they come from the city of Philadelphia or whether they come from Delaware County.

I am very happy to see that you are interested in the labor movement and their thinking, because I want to suggest to you a number of bills that are on this Calendar to which they also subscribe, and hope you will go along with us. As you have found, we have been lacking a vote on many occasions on some of these labor measures. I would be very happy to have you join us on some of them. If these are the people whom you listen to, I will be happy to have them write to you, and maybe they can influence you along these lines. I did not realize that you put such great store in the position they take. However, as long as you do, I will certainly have them get in touch with you.

This has gone on for many years in the State of Illinois and in many other States that are enlightened. They do have people who represent people living in different communities and across county lines.

The city of Philadelphia, for example, is now the fourth largest city and Los Angeles is now the third largest. The only reason for that is because Los Angeles has now spread out over a large area. They have removed these county lines whereas, in the city of Philadelphia, we are bounded by this square area that was set up back in the days of William Penn.

I think you will find there are more people who live in your community—and whom you represent, sir—who have more interest in the city of Philadelphia and whose interests are directly bound up with the city of Philadelphia more so than they are with the interests of Delaware County, because they merely sleep in Delaware County. Their livelihood, their economic well-being, and all of the fine things that come to them and allow them to continue to live out in Delaware County come from the city of Philadelphia.

Mr. MULLIN. Mr. President, the terms feudalism and slavery, coming from my colleague from Delaware County, are merely an echoing of the conditions in his county.

We all know Joe Pew and we all know John McClure, and we all know the barony they exercise down there. They are still there, but all of their contemporaries in Philadelphia have passed from the scene.

Philadelphia City is undergoing a seven and one-half million dollar renovation, and the Philadelphia city government has gone through that renovation and is still going through it. I know they consider it a feudal territory to see a district expanded to take in population in

order to give proper representation to people in those counties where they do not have any at all at the present time.

We sort of regret losing some of our men. Take, for example, Bill Green. He would represent half of the ward I represent. They would be very fortunate in Bensalem Township, in Bucks County, to have him represent them because they would then get some service. I do not think there is a working Congressman who does more for his people than William J. Green, Jr. I am pretty sure that Kathryn E. Granahan will perform much better service for the people of Delaware County than the service they are getting now.

These people are accessible, and they pay attention to the requests made of them by their constituents. It is our loss that we should lose any of them. However, it is the gain of those people who will have these representatives represent them in these counties.

I certainly do not like to see people misunderstand and be misinformed about Philadelphia's city government. We are a modern city government. Our Mayor tends to his business. He is up here today looking out for some of the things which concern the people whom he represents. We are fortunate and proud to have him as our Mayor.

We are proud to have a real leader and not a boss. There is nothing bossy about Bill Green. That is the image some people like to make of him. He is not a boss. He is a man who leads his organization and he leads it successfully. That is what hurts other people in the opposition organization. However, we do think the people who get Kathryn Granahan and Bill Green to represent them will be very fortunate indeed.

Mr. SILVERT. Mr. President, I would like to inform Senator Bell that crossing county lines in congressional reapportionment is not something new. I should like to inform the gentleman that Congressman Joseph Martin, the former Republican Majority Leader of the House of Representatives, under a reapportionment bill, crossed county lines in order to stay in the House. Therefore, please do not make it appear as though we are introducing something unheard of.

Mr. SEYLER. Mr. President, I am not going to discuss the merits of any bill because I have not been privileged to read any bill and I have not even heard the terms of any bill. However, I would like to talk sense to Senator Bell, if I may and if this is possible. I would like to tell Senator Bell that under the present congressional reapportionment, I suppose he realizes that he lives in a county which is grossly underrepresented. In other words, the median size of the present Congressional District is about 360,000. That means that in most of the counties in the Commonwealth, there is one Congressman to 360,000 people. In Senator Bell's County, there is one Congressman to 552,000 people. If we are going to reapportion and get down to the basis of twenty-seven Congressmen, we will then have one Congressman to every 419,000 people. That is the average we hope to strike. There will be some slightly larger and some slightly smaller districts. However, in Senator Bell's county, if he insists that the Congressional District remains at one county, the people of Delaware County will be grossly underrepresented because there will be 552,000 people represented by one Congressman.

This suggests to me that any way you deal with the

problem, the county of Senator Bell is a problem county. It is not a problem county, however, because of Senator Bell or the people in it. I am sure they are fine people and I think Senator Bell is a fine Senator. However, because of its size and because it has a large percentage,—over twenty-five per cent more than the ratio that we should strike across the Commonwealth—it makes a problem.

In order to see to it that the people of Senator Bell's county are treated fairly, I would say that one of two things must happen. Either a piece of Delaware County has to be put with some other Congressional District or a piece of some other county has to be put with Delaware County, in order to make two districts. Otherwise, it is obvious that we are going to be unfair to the people of Delaware County. We are going to have the people of Delaware County have less voice in the lawmaking of the United States Government than the people of the other counties of the Commonwealth of Pennsylvania and, as a matter of fact, of the other counties throughout the United States of America.

Therefore, I would say to Senator Bell that if he wishes to represent the interests of his people in Delaware County and wishes to see to it that they get the kind of representation which they should have, equally with the other people of the Commonwealth and of the Nation, it would be incumbent upon him to support a proposal which would see to it that the ratio of representation is somewhere around 419,000 constituents to one Congressman, rather than the present 552,000. Whether he likes this present plan about which he is talking—which, as I said, I have not had the advantage of seeing—or some other plan, I am sure that Senator Bell will not want to see the people of Delaware County underrepresented as they are at present.

Mr. BELL. Mr. President, when I pulled the tail of the Philadelphia Democratic donkey, I did not think I reached as far as York County. I have heard some very naive and poor excuses. You know, it is common sense that it is better to have one good excuse than a lot of poor ones. To me, what I have heard are poor ones.

First of all, I heard an attack upon the Republican leadership of Delaware County. The reason why the present organization has continued in power down there is because the people of Delaware County want it in power. We have a very enlightened county. We have had move into it, in the past ten or fifteen years, a great number of the best residents of the city of Philadelphia. I think that is one of the reasons why Philadelphia wants to come out after them. However, Mr. President, these people have voted to continue the Republican organization in power because they give good government in Delaware County.

Secondly, with respect to this ratio, I am forced to rely on newspapers. I am one of those who believe that newspapers, a greater part of the time, are very factual. I have been informed that one of the new districts set up under this bill, the Tenth District,—and I do not know where the bill is being introduced—will have 589,000 people in it. There goes that argument.

Gentlemen, by whatever name you call it or how much perfume you put on it, and no matter what you call a bouquet of flowers, this is still crossing the line from Philadelphia into my county and into Bucks County. If you folks in Philadelphia County do not have enough

problems, which I think you do, I would suggest that you stay at home and clean up there.

You only are justified at the most in having five Congressmen. This is nothing more than a scheme to annex into two Philadelphia districts the suburban residents of the counties of Bucks and Delaware. I condemn it and if you ever bring it onto this floor, I am going to tell you that you had better have your votes.

Mr. WEINER. Mr. President, I am delighted that the gentleman has such an open mind on this subject. Without even seeing the bill, he is against it. That is pretty hard to do. I think after he sees the bill, he will even be more confused because he is already against it.

It is like that old story: "Don't tell me about the facts; they only confuse me." I will not do that. I just hope the gentleman will continue to have an open mind and will read the bill, after which we will be able to discuss it.

BILL INTRODUCED AND REFERRED

Mr. WEINER (By Request), by unanimous consent, presented to the Chair **SB 905**, entitled:

An Act amending the act of April 12, 1951 (P. L. 90), entitled "Liquor Code," excepting certain restaurants from the prohibition of granting licenses to places of amusement.

Which was committed to the Committee on Law and Order.

HOUSE MESSAGE

HOUSE INSISTS UPON ITS AMENDMENTS NONCONCURRED IN BY THE SENATE TO **SB 104**, AND APPOINTS COMMITTEE OF CONFERENCE

The Clerk of the House of Representatives being introduced, informed the Senate that the House insists upon its amendments nonconcurring in by the Senate to **SB 104**, and has appointed Messrs. DOUGHERTY, PETROSKY, and A. W. JOHNSON as a Committee of Conference to confer with a similar committee of the Senate (already appointed) to consider the differences existing between the two houses in relation to said bill.

RECONSIDERATION OF HB 1075

Mr. WEINER. Mr. President, I move that the Senate do now reconsider the vote by which House Bill No. 1075, Printer's No. 1192, failed of final passage on July 24, 1961.

The PRESIDENT. How did the Senator vote?

Mr. WEINER. Mr. President, I voted with the prevailing side.

Mr. LANE. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. LANE. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. WEINER. Mr. President, I request that House Bill No. 1075 go over in its order and appear on tomorrow's Final Passage Calendar.

The PRESIDENT. There being no objection, House Bill No. 1075 will be placed on tomorrow's Final Passage Calendar.

REPORT OF COMMITTEE OF CONFERENCE SUBMITTED

Mr. WEINER submitted the Report of Committee of Conference on **SB 104**, which was placed on the Calendar.

ANNOUNCEMENTS BY THE SECRETARY

The following announcements were read by the Secretary of the Senate:

COMMITTEE MEETINGS

TUESDAY, AUGUST 8, 1961

Eastern Daylight Saving Time	Committee	Room
9:00 A. M.	Historical Preservation	252
9:15 A. M.	Corporations	301
9:30 A. M.	Elections	301
10:00 A. M.	State Government	535
10:15 A. M.	Education	302
10:30 A. M.	Insurance	542
11:00 A. M.	Local Government	301
11:30 A. M.	Banking	302
11:45 A. M.	Law and Order	535
Republican Caucus		11:00 A. M., D. S. T.

ADJOURNMENT

Mr. WEINER. Mr. President, I move that the Senate do now adjourn until Tuesday, August 8, 1961, at 11:15 a.m., Eastern Standard Time.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:32 p.m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

MONDAY, August 7, 1961.

The House met at 2 p. m., e. s. t.

The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

O God of Infinite Wisdom, we look to Thee in the recognition that Thy glory is revealed in all of the world about us; we thank Thee for the glory which Thou didst manifest in Thy Son, and for the glory which Thou dost show in the guidance of Thy Spirit; and we humbly pray that Thy greater glory may be revealed in the work which Thou hast called us to do, and in the work we bring to maturity through Thy help and direction: through Christ, our Lord. Amen.

JOURNALS APPROVED

The SPEAKER. Are there any corrections to the Journals of Tuesday, June 13 and Wednesday, June 14, 1961? If not, and without objection, the Journals are approved.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Wednesday, July 26, 1961, will be postponed until printed.

The Chair hears none.

BILLS INTRODUCED AND REFERRED

By Messrs. McCANN and PETROSKY.

HOUSE BILL No. 1840.

An Act amending the act of July 15, 1897 (P. L. 292), entitled "An act to provide revenue by taxation" clarifying provisions for imposing, collecting and paying tax on deposits and shares of savings banks without capital stock, building and loan associations and federal and state savings and loan associations measured by their surplus, undivided profits and reserves.

Referred to the Committee on Ways and Means.

By Mr. POLEN.

HOUSE BILL No. 1841.

An Act amending "The General Appropriation Act of 1961," approved May 25, 1961 (Appropriation Act No. 5-A), changing certain amounts appropriated to the Department of Public Instruction and the Department of Revenue, and making an appropriation to the Department of Public Instruction for community colleges.

Referred to the Committee on Education.

MEMBER OF NORTH CAROLINA GENERAL ASSEMBLY WELCOMED

The SPEAKER. We are honored today by having a distinguished visitor, a member of the General Assembly from North Carolina; a lady member. There are several lady members in the General Assemblies of the various States, and they will be crowding us pretty hard if their numbers increase.

Our visitor is The Honorable Theresa Pierce Fletcher, a member of the House of Representatives of North Carolina. She is here primarily visiting relatives, and she is in the House today as the guest of the gentleman from

Cumberland, Mr. Kistler. It gives me great pleasure to introduce to the members of this House, the Honorable Theresa Pierce Fletcher who will, I hope, say a few words to us.

ADDRESS BY THE HONORABLE THERESA
PIERCE FLETCHER

Mr. Speaker, ladies and gentlemen, fellow members of the House, of this honorable body, it indeed is a great pleasure and a great honor for me to be here with you today. I was visiting relatives in and around Harrisburg and I did not even know that you were still in session. Our session in North Carolina closed the latter part of June, but when I heard that you were still here I just could not resist the opportunity of coming by and saying "hello." I really feel very much at home, once more, because our bodies look so much alike, and I have been studying your procedure somewhat today and I find that it is very much like our procedure in North Carolina. So I just feel that I have gotten back among a whole host of friends.

I do not know whether you know much about North Carolina or not, but in my section—I am from Alexander County—the political parties are almost equally divided, almost 50-50 Democratic and Republican. We are just about equal. Sometimes as much as 50 votes will swing the election either way. The State is, of course, Democratic, as you know, and I am a Republican. We came within 7 percent of electing a Republican governor this last fall. We feel as though we have a little way to go yet, but we think we shall make that in time.

Our House consists of 120 members. There were 15 Republicans in the House, and our Senate had 50 members, the same as yours, and we had 2 Republican Senators in the Senate. So we do have some way to go yet, you see, before North Carolina is entirely Republican. I must say that after I arrived there I did not know but what the Democrats would think I had horns, and I think possibly for a few days they did have that idea. But after we got acquainted they were as fine a bunch as I have ever seen, and politics seem to me to have been entirely forgotten. It was not what party you belonged to, but the main thing was, "You vote for my bill and I will vote for yours." We worked together a great deal and, of course, as you know, all Democrats do not agree with each other and neither do all Republicans. That is what makes America what it is, because we can check on each other. As long as we have the two great parties checking on each other and lambasting each other whenever they need it, I do not think we need to fear about the future of America. It is all a wonderful game and I feel that we are all in it for patriotic reasons. We are certainly not in it for the money in our State because legislators are paid very little and it is a sacrifice to everyone of them to accept the position. So they are there to really help our State and our Country in general.

We have five women members; three Democrats and two Republicans. They were two and two at first but one of our members died and his wife was appointed in his place, so that gave the Democrats a majority of one in the lady membership. We all get along fine and we are very happy together.

We had a lot of problems this time. Of course, the prevailing problem with us, and I guess with all of us, is

the matter of taxation and when and how and where to find these taxes. We had this problem very seriously because our schools are in need of improvement and teachers' salaries were too low, and our government was very much for a straight across-the-board sales tax. Many of them opposed it, including myself. I did not believe in a tax on poverty. I felt that we should go where the money was. I do think we have many interests in North Carolina that were not taxed at all, and I thought they should be taxed first before we put taxes on the poor peoples' food. But, anyway, the bill passed and we shall see how it works. I hope it is to the benefit of all.

Again, I will say that I am very delighted to meet all of you. I would like to speak to all of you that I can, and if I do not speak to your personally, remember I am delighted to be here and delighted to see you. If you ever get down to North Carolina, come and see our legislature if it is in session; if it is not, come to see me at Taylorsville, North Carolina. I live right in the little crossroads town. Anybody can tell you where I live. Thanks a lot for letting me speak to you. I really enjoyed seeing you. Good luck to your State and to all of you individually.

The SPEAKER. Incidentally, the lady from North Carolina is an attorney-at-law.

STATEMENT BY SPEAKER

The SPEAKER. With your permission, we will go into what might be called a "Committee of the Whole" for a period not to exceed an hour.

You know we sent two members of the House to Albany to look-see how they did things there. They will prepare written reports which will be printed in the record and then may be printed in pamphlets. They will probably make recommendations as to procedure. It occurred to the Chair that perhaps members would be interested in hearing a verbal report. Our idea is to divide the time and take an hour, a half hour for each gentleman, for a verbal report and then take 15 minutes for questions from the floor, if the members care to ask them.

They are going to speak off-the-cuff.

The Chair will recognize the gentleman from Cameron, Mr. Tompkins, and if he prefers to speak from the rostrum, he will be privileged to do so. It may be easier to speak from here.

As I said, we are theoretically in a Committee of the Whole although there has been no formal motion to that effect.

I am sure you will be interested in what these two gentlemen have to say.

REPORT BY Mr. TOMPKINS

Mr. TOMPKINS. I thank you, Mr. Speaker, and I hope that I have this mike at an angle where you can all hear me.

Our Speaker, of course, together with some other members of this General Assembly, has for a number of years been interested in improving the procedures under which we operate. The Speaker had one idea in mind and that was, how does New York State adjourn its General Assembly by the first of April each year? For that purpose he sent the gentleman from Allegheny, Mr. Irvis, and myself, accompanied by a member of the press, Mr. John Scotzin, to Albany last week to take a look-see.

Well, we want and we looked and observed and we have a report to make which, in some respects, may be revolutionary so far as our long traditional and State habits are concerned in connection with legislative procedure.

To begin with, just a little preliminary. In Harrisburg we talk about Capitol Hill. When I got to Albany I had that one idea in mind. They have their capitol located on a mountain; they call it Capitol Mountain. You really climb one to get up there.

Secondly, their edifice was erected and first used in 1879 and it does not have the color and the lustre of the Pennsylvania Capitol. Apparently in its day it was built more as a showplace rather than as something to be utilized for governmental purposes. Nevertheless, it is a very imposing structure.

The gentleman from Allegheny and myself have decided to try and divide our impressions of the New York State operations insofar as possible. I might say this: With the gentleman of the press who accompanied us, the first thing he did was to grin from ear to ear when he ran into Mr. Irvis and myself and we asked him what the big story was, and he said, "Well, you know the first thing I found out is that the press have the privileges of the floor during session."

Well, of course, we told him that inasmuch as we were paying our own expenses, we could make mention of that without ruffling the fur of the Speaker too much. Although in going over the matter with certain other members of the press here today, they said they do not know if they would like that because they are afraid of the jungles out there. So there you have the reaction with regard to the privileges of the floor.

The New York State House inside is only about one-third the size of this hall. They have 150 members. They have no general public-address system. They have a mike at the Speaker's desk and at the clerk's desk and they have two podiums down in the well of the House to which you repair in case you wish to debate a bill or say something to the members of the House.

In dividing our report as to our impressions as to how they do it in 100 days in New York, Mr. Irvis, Mr. Scotzin and myself came to the very emphatic impression that the General Assembly in New York is a co-ordinate and not a subservient branch of the government, and I think some of the things they do perhaps makes them that way as well as places them in a position of being able to quit at the end of 100 days.

Now what are some of the things they do? Their constitution provides that the Governor shall submit his budget message to the General Assembly not later than February 1 of each year. Beginning in September, the budget office which has a staff, I might say, of 150 people, starts sending out for requests from the departments for the budget for the ensuing year. When they send in their reports to the budget office, copies of this report must also be sent to the Ways and Means Committee of the House, which corresponds, of course, to our Appropriations Committee in Pennsylvania, and to the Finance Committee in the New York Senate, which, of course, corresponds to our Finance Committee in the State Senate here.

In about October they start scheduling hearings of the departments before the budget office, which the chair-

man of the Ways and Means Committee, the chairman of the Finance Committee, their budget analysts and any members of those respective committees who so desire may attend and have full voice in the hearings. So when February 1 comes, they have completed their hearings and when the Governor submits his budget the only thing they then do is perhaps have a public hearing or two in order that taxpayers' groups and chambers of commerce, or what have you, may have an opportunity to express their views. In that way they do not have the long drawn out departmental hearings that we have in Pennsylvania, which delay the work of this session until those things are done.

Now, what else do they do?

In Pennsylvania there is House bill No. 808 of your 1961 session which was your general appropriations bill. It is 71 pages long. We think that is a big bill, but in New York their general appropriations bill contains 688 pages and, if I want to find how many prison guards they have at Dannemora Prison in New York State, I turn to the section on correctional institutions and go to Dannemora and they have listed in there the number of guards for which they are providing money in the 1961 budget. Or, if I want to find the number of professors they have in a certain category in Brockport State Teachers College in New York State, I turn to the education section in this budget and I go to Brockport State Teachers College and I find the number of professors that are being provided for.

The General Assembly has a full printed report of the number of employees for which they are providing funds for that session, or for that year. There is a complete working document, line by line of what they are doing. The General Assembly is informed, and is it any wonder they are a coordinate branch of the Government when they have that kind of information? We very strongly recommend that such a system should be adopted in the State of Pennsylvania to give this General Assembly a better idea of what is going on.

In addition, you have a working staff during the session augmented by quite a number of people, but during the interim still maintained in skeleton force that keep continually working on these matters on behalf of the Ways and Means Committee and the Finance Committee and cooperating through the budget office.

Something else that gives them an opportunity to know what is going on: In New York they do not permit the Governor to shift funds from one project to another at his discretion. In order to shift funds from one project to another they must also get the approval of the chairman of the Ways and Means Committee and the approval of the chairman of the Senate Finance Committee. In that way the General Assembly has a copy, full information copy, as to what is going on and what is being done with the Commonwealth's money that the General Assembly is charged with the responsibility of providing through the taxes which they are asked to vote.

What else do they do? They establish an emergency fund of some multi-million dollars for the purpose of taking care of shortages that might arise in the operation of any particular function of government or in a case of emergency, but the Governor does not have the sole power to determine when those shall be used. He can use them only after he gets the approval also of the chairman of the Ways

and Means Committee and the chairman of the Senate Finance Committee. The General Assembly in that respect knows what is going on. They have the information before them. Therefore, they become a coordinate branch of the government.

What else do they do? Some of those things, I might say, such as controlling the shifting of funds, the allocation of emergency funds, and so forth, could very well be an appropriate function of the "watchdog" committee which we have created in the State of Pennsylvania. If they are looking for something to do, there is one item they might look at, in my opinion.

Now what else do they do? Whenever a contract is signed involving the State of New York by any independent agency, such as the turnpike commission—their Throughway Commission, rather—copies of that contract must also be filed at that time with the Ways and Means Committee of the House and the Finance Committee of the Senate. Can you imagine how much knowledge we would have in the State of Pennsylvania as to what is going on, how much knowledge the General Assembly would have, if copies of all GSA contracts, if copies of our educational building authority, if copies of our highway and bridge authority, if copies of the contracts of our Welfare Department and all the other branches of government had also to be filed with our Appropriations Committee, or perhaps with our "watchdog" committee? Can you imagine how much we would know about what is going on and how coordinate and independent we could be as a General Assembly in the Commonwealth of Pennsylvania?

There lies the power of a coordinate branch of the government—that they know what is going on—that the membership is informed.

Another thing which they did which was initiated by Governor Rockefeller: They have what they call a campus, located about four miles from the main Capitol Building in Albany, consisting of large acreages, contiguous acreages of land, including, I might say, a country club which they had to take over on which they are building the several departmental office buildings. Now how are they financing this capitol improvement? Governor Rockefeller, and this is only surface information, and I certainly, for one, intend to dig further into this because I think it is an answer to some of our problems in Pennsylvania, Governor Rockefeller took the retirement funds in the State of New York and is building these buildings and has lease rental arrangement whereby these retirement funds are repaid and in that way they avoid the payment of long-term interest on their building program in the State of New York. How much money that would amount to in the State of Pennsylvania, I do not know, but I venture to say right offhand that the interest money right today out of such an arrangement in the Commonwealth of Pennsylvania would give you the money for your educational program for this year.

They do business in a businesslike way, as far as I can see and so far as I was able to observe. They are trying to do things for the benefit of the taxpayers of the State of New York.

Just a side tip on these Departmental offices and on this governmental office situation: When we were in the Lieutenant Governor's office, he told us that they had

rented one entire office building downtown in Albany for the purpose of housing a lot of the departments and he said, suddenly this year notice came through to them that the rent from a certain date would be payable to Joseph B. Kennedy; he says he went down and bought the building. So, he gets his revenue from quite devious places.

Now, I think that I have reported enough in that regard on the budget and methods of financing in the State of New York, and, if there are any members at this time who have any questions that they would care to ask in that field or any other field regarding that procedure in the State of New York, I would be glad to answer them if I can.

Is there anything that anyone is curious about in that connection?

Now, I think that when you get the additional report from the gentleman from Allegheny, Mr. Irvis, and you tie these two reports together, you will begin to gather some idea as to how they do it in 100 days in New York and how they operate their functions.

Now, I do not know whether the gentleman from Allegheny will tell you this or not but another item which I thought was very important was the fact that they have a cut-off date for the introduction of administration and departmental bills and they enforce it, and, if any department or the administration is late in getting any of its program in, they just say to him very politely, very well, we will make that a study in committee for the interim and we will be back in nine months' time and take care of it.

Are there any questions? If not, I thank you very much for your attention to our running report on this situation. Copies of a great number of things in connection with the operation of the State of New York are on file in my office and I think Mr. Irvis has copies for himself as well as extra copies for the Speaker. If at any time any of you care to see any of these, you can do so by calling at my office or seeing Mr. Irvis or calling the Speaker's office. I thank you for your courtesy.

REPORT BY Mr. IRVIS

The SPEAKER. Now we will hear from the gentleman from Allegheny, Mr. Irvis.

Mr. IRVIS. Thank you, Mr. Speaker.

I am fully aware of the fact that no one of us on the first day of the week's session is apt to be paying too much attention to what goes on up here in the beginning of that session.

However, ladies and gentlemen, what the gentleman from Cameron and I are reporting to you today is that we have spent entirely too long a time in session here this year and we think we have found the tools whereby next year or the year after the General Assembly of Pennsylvania will not have to stay as long as we have stayed this year and in 1959.

I would like to emphasize what Mr. Tompkins has reported and I would like you to remember it. Whereas, we started in session the first day of January 1961 and here we are, on the seventh day of August 1961, not yet finished and with no set date as to when we shall finish, the Assembly and the Senate of the wealthiest and the most populous State in the Union began in the early days of January 1961 and finished its session by the first of April and went home.

Incidentally, for working that period the members of the Senate and the Assembly of New York were paid \$7,500 in salary and \$2,500 in expenses, plus the actual travel mileage to and from their homes. Beginning in 1963, they will be paid \$10,000 a year in salary and whatever expense account they vote for themselves.

I think also you will be interested in several devices which they have used over the years to shorten their sessions.

We come here the first of January with practically nothing prepared. In New York State it is different. In New York State they have what is called a pre-filing of bills. If you were in New York State by November 15, 1960, you would have been privileged to have started filing proposed legislation with the clerk of the Assembly, of the General Assembly, in New York State.

Now, out of a total of approximately 5,000 bills which were filed in the Assembly, that is their lower house, 1,275 of those bills were already filed and all ready for action the very first day that the Assembly met. This means, of course, that their committees, instead of waiting for two or three months to get in motion the way some of our committees are forced to do, start meeting the second day of the session and they begin voting on legislation the first week of the session. They move.

This pre-filing of bills is new in New York State. It has existed only for three years. The leadership of the Assembly and the Senate is now discussing whether or not they can permit pre-filing to start even earlier than November 15th. They hope to get most of their legislation filed before the session starts so that they may shorten the session even further.

We recommend that this be studied by this House as a possibility for shortening the sessions which we hold here in Pennsylvania.

There is another tool which I think is tremendously important, which all three of us agree is tremendously important. They appoint what they call joint-legislative committees. These committees are appointed by resolution, either in the Assembly or in the Senate, and they spring into life 30 days after the adjournment motion. They are, therefore, interim committees. They are investigative committees. They are the committees which hold public hearings in the various cities and hamlets and townships of New York State. They are given adequate appropriations; they are given counsel and staff; they are given expense accounts. And they are told to bring back to either the Assembly or the Senate a report which must be made by the end of March of the following year. It is usually made much earlier. They may either recommend in general or they may recommend specific legislation. And, of course, their recommendations carry great weight in the Assembly. These interim committees, in our opinion, constitute one of the strongest devices in the hands of the Assembly of New York State for shortening its sessions and for sharpening the attention of the membership, for the members who sit on these committees and travel with these committees perforce learn something about the subject matter of the committee and do not have to rely solely on briefs which are given them by their research counsel, but learn it for themselves.

There is another tool which I think ought to be mentioned and that is something which our Speaker has recommended to us and something which I have found a

personal need of in the years that I have spent here so far. They call in the New York State Legislative Index. Now the New York State Legislative Index is a weekly publication which abstracts every bill and every resolution introduced in the Assembly of New York State. It does not merely give its title; it does not merely give the people who introduced it, but abstracts the core of the bills for each member, and, if he wishes, he can read in brief what each bill does, or what each bill purports to do.

This is a private service, paid for by the State of New York but done by a nonpartisan business firm; not by Republicans for the benefit of Republicans, and not by Democrats for the benefit of Democrats, but a nonpartisan private firm publishes this and hands it out to every single member, so that every member may know exactly what each bill does. I am informed that the cost is \$150 per member per session.

Ed says if the State were out of general funds, the lobbyists would have to buy their own services, which is not a bad idea.

There are other devices which the New York State Legislature has used but I do not think at this time I should go into them. We are going to put them in our written report, and we hope that you will read the report and that you will study it, because if you do, and if we are able to move on this, on the things we have found out, all three of us, John Scotzin, Ed Tompkins and I are convinced that we can get more business done in the General Assembly in Pennsylvania in a much shorter time more effectively. We can strengthen this arm of the government.

I want to emphasize what Mr. Tompkins has said here at this microphone: I don't want anyone to think that he is saying it as a Republican and I want to say it as a Democrat, with a Democrat sitting in the chair of the governorship. In New York State the members of the General Assembly there do not wait for the governor to propose a program. They have their own program officials and they draw up their own programs. They are truly a coordinate branch of the government. I trust that those of us who sit in this Assembly understand exactly what I am saying and what Mr. Tompkins has said here. They are truly a coordinate branch of the government. They work on their own programming and they sit with the governor to see which part of his program they approve of. I think this is something that we need to devote a considerable amount of time and thought to.

Thank you for your attention.

Mr. TOMPKINS. I would like to say, to supplement what the gentleman from Allegheny has said, that interim study and investigating committees are the only thing they authorize in the State of New York. They do not permit any study or investigating committees to operate during the course of the session.

Mr. A. W. JOHNSON. Mr. Speaker, may I interrogate Mr. Tompkins?

The SPEAKER. Will the gentleman from Cameron, Mr. Tompkins, permit himself to be interrogated?

Mr. TOMPKINS. I shall, Mr. Speaker.

Mr. A. W. JOHNSON. Mr. Speaker, do I understand that Mr. Tompkins and Mr. Irvis are going to, in addition to their report, make recommendations to this General Assembly, wherein we can improve our system as the result of your trip to New York?

Mr. TOMPKINS. Yes, that is proposed.

Mr. A. W. JOHNSON. I thank the gentleman.

Mr. TOMPKINS. I might add, if we cannot proceed on our own initiative, at least we are going to try to have a committee appointed with funds and staff to study legislative procedure to see what we can do to break the shackles in the State of Pennsylvania on our legislative processes.

The SPEAKER. The Chair thanks the gentleman from Cameron and the gentleman from Allegheny.

All that he has said simply emphasizes the fact that in order to do good work you have to have the facilities with which to work. You have to have a place in which to work. This House and the other chamber are hampered and crippled by reason of the fact that their committees do not have the facilities with which to function on a year-around basis. Every chairman of every committee should have a private office of his own with a secretary. Adjoining that office should be a committee room large enough, not only for the committee meetings, but for hearings of a minor nature. The space problem is imperative. All of these things that we have talked about will not get anywhere if we cannot have space in which to operate.

The members of this House and the members of the other chamber have not seemingly been interested in those matters. In the other chamber they are crowded worse than we are. They seem to accept that sort of thing as an Act of God, something that comes down from times past and is sacred. We ought to have, come the next fiscal session, better committee facilities, and, come the next session after that, we should have adequate space in which to operate. In other States they have, one by one, been moving bureaus and departments out of the main capitol building to the end that in many of the States the General Assembly now occupies what was once the entire capitol building. That is the direction in which we must go, unless we want to jog along as we have been jogging along.

The Chair thanks the members of the House for their attention.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1539, entitled:

An Act amending the act of June 22, 1931 (P. L. 881), entitled "An act prescribing rights and remedies and the procedure in connection with suits and recovery on bonds conditioned for the payment of material and labor furnished supplied or performed in the prosecution of any public work or improvement" extending the act to include Federal and State-aided institutions.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1827, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Department of Forests and Waters to lease land in Valley Forge State Park to the United States Post Office Department for the purpose of the construction and operation of a post office.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 691, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), providing for commercial motor vehicle operators' licenses setting fees for such licenses further regulating suspension and revocation of licenses and imposing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1219, entitled:

An Act amending the "State Employees' Retirement Code of 1959" approved June 1, 1959 (P. L. 392), preventing the diminution of the present value of a superannuation retirement allowance for all classes of membership.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1620, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), further defining "dealer," further providing for the use of dealer's registration plates, providing for the issuance of special moving permits for mobilehomes house trailers and office trailers in lieu of registration thereof.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1821, entitled:

An Act amending "The Permanent Registration Act for Cities of the Second Class Cities of the Second Class A Cities of the Third Class Boroughs, Towns and Townships" approved April 29, 1937 (P. L. 487), further regulating the days and hours of registration, the days for receiving removal notices and transferring registration, the days for changing enrollment of political party, the days to make a check-up of registers, the days to compare and correct the general and district registers, the days for preparing street lists and the arrangement and distribution of street lists.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1838, entitled:

An Act amending "The General County Assessment Law" approved May 22, 1933 (P. L. 853), providing that reproduction costs shall be considered in arriving at value and providing that factors taken into consideration in arriving at the value of real property and valuations so determined by certain counties under a permanent system

of records may continue to be a valid basis for assessments.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 381, entitled:

An Act amending the act of May 16, 1921 (P. L. 579), entitled as amended "An Act providing for the better management of the jails or county prisons in the several counties of this Commonwealth of the third, fourth and fifth classes by creating in such counties a board to be known by the name and style of inspectors of the jail or county prison with authority to appoint a warden of such prison and by vesting in said board and the officers appointed by it the safekeeping, discipline and employment of prisoners and the government and management of said jails or county prisons" further providing for the composition of the board of inspectors of the jail or county prison.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 511, entitled:

An Act amending the act of May 15, 1933 (P. L. 624), entitled as amended "Banking Code" permitting savings banks to service mortgages.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 588, entitled:

An Act amending the act of May 10, 1939 (P. L. 111), entitled "Commerce Law" authorizing the Department of Commerce to aid political subdivisions in the purchase of land for industrial parks.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 687, entitled:

An Act amending the act of August 5, 1941 (P. L. 752), entitled "Civil Service Act" providing exceptions to certain provisions of the act when professional and technical positions concerned with the administration of the Public Assistance Law and related statutes are being considered.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 780, entitled:

An Act amending the act of May 16, 1919 (P. L. 193), entitled "An act to provide for the licensing and regulation of public dance halls and ball rooms . . ." increasing license fees in cities of the second class and changing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 842, entitled:

An Act amending the act of June 1, 1959 (P. L. 392), entitled "State Employees' Retirement Code of 1959" changing certain fiscal provisions to conform to the fiscal period and changing provisions providing for contributions and administrative expenses.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Mr. McCANN. I would like to have permission to amend the bills to fall in proper order for tomorrow.

The SPEAKER. The Chair requests that the gentleman from Armstrong come to the rostrum.

Mr. HELM IN THE CHAIR

Mr. McCANN. On bills on final passage postponed, Mr. Speaker, I call up House bill 1448, for the purpose of amendment by the gentleman from Lawrence, Mr. Fox.

BILL ON FINAL PASSAGE POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on final passage of House bill No. 1448, entitled:

An Act amending the "Milk Control Law" approved April 28, 1937 (P. L. 417), further regulating the sale of milk on farms directly to consumers.

RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. FOX. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. FOX asked unanimous consent to offer amendments at this time.

The SPEAKER. pro tempore. The amendments will be read by the clerk for information.

Amend Sec. 1 (Sec. 402), page 4, line 4, by inserting a bracket before "Provided"

Amend Sec. 1 (Sec. 402), page 4, line 7, by striking out "has not been pasteurized and"

Amend Sec. 1 (Sec. 402), page 4, line 12, by inserting a bracket after "act"

Amend Bill, page 4, by inserting after line 12:

Section 2. Article IV of the act is amended by adding, at the end thereof, two new sections to read:

Section 413. Sales of Pasteurized Milk at Producers' Farms to Consumers.—A producer selling pasteurized milk directly to consumers at the farm operated by such pro-

ducer shall be exempt from regulation under this act, except the commission, after a public hearing, shall fix by an appropriate order minimum prices and may fix maximum prices to be charged and received by such producer for such milk sold, handled or consigned within any marketing area of the Commonwealth to consumers at producers' farms: such prices shall be based upon all conditions affecting the milk industry in each milk marketing area, including the amount necessary to yield a reasonable return to such producer, which return shall not be less than cost plus a reasonable return, and in ascertaining such returns the commission shall utilize a cross-section of these producers representing the average or normally efficient operations; and except, further, that such producers shall be subject to Articles IX and X of this act

Such producers shall not sell any milk as provided in this section until he has first received a license issued by the commission for which a yearly fee of fifteen dollars (\$15.00) shall be charged and collected. The commission may decline to issue or to reissue such license and may suspend, revoke or refuse to transfer a license already granted if the producer after hearing shall have been found by the commission to have violated any of the rules, regulations or orders of the commission applicable to such producer. In any case where the commission shall suspend a license, the commission may accept from the licensee an offer in compromise at the rate of fifty dollars (\$50.00) for each day of suspension as a penalty in lieu of such suspension, and thereupon rescind the suspension.

A producer, to qualify under the provisions of this section, shall comply with the following requirements:

(1) All pasteurized milk sold to consumers must be produced on the farm operated by such producer, and shall be sold at the farm where produced.

(2) Sales to consumers must be on a cash basis.

(3) Consumers must own the containers in which they purchase the pasteurized milk.

(4) The producer must not hold a milk dealer's license issued by the commission nor be engaged in the delivery of milk on retail or wholesale routes.

If the producer does not comply fully with each and all of the requirements set forth in this section, he shall then be subject to full regulation as provided throughout this act.

Section 414. Sales of Raw Milk to Consumers.—A producer selling raw or unpasteurized milk where such sales are on a cash basis and do not exceed two gallons to any one consumer in any one day, at the farms of producers to consumers in containers owned and provided by the consumer, the producers so selling milk shall be exempt from the provisions of this act, provided such producer does not hold a milk dealer's license as issued by the commission nor be engaged in the delivery of milk on retail or wholesale routes.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Mercer, Mr. Down.

Mr. DOWN. Mr. Speaker, could I ask that the amendments be explained please?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Lawrence, Mr. Fox.

Mr. FOX. Mr. Speaker, these amendments are mainly for the purpose of clarifying the bill. The bill, as you recall, is the bill which would apply under certain provisions of the Milk Control Law to farmers selling milk to the public on their farms.

At the time that the bill was before the House before, there was considerable confusion about the intent and purpose of it. These amendments, I think, will clarify the intent of the bill.

I would say this in explanation: As the bill would be amended with these amendments the only provisions of the Milk Control Law that would apply in this case would be the provision relating to the pricing of milk by the Milk Control Commission in these particular operations. Certain provisions that regular milk dealers have to abide by, such as keeping records of the volume of their sales and many other records, and paying a license fee based on the volume, such things as that would not apply to these farm operators. Really the only provision that would apply would be the pricing provision. There would be a nominal license fee, of course, for the purpose of administration, but it would be a set fee for all such operators.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Mercer, Mr. Down.

Mr. DOWN. Mr. Speaker, may I interrogate the gentleman from Lawrence, Mr. Fox?

The SPEAKER pro tempore. Will the gentleman from Lawrence permit himself to be interrogated?

Mr. FOX. I shall, Mr. Speaker.

Mr. DOWN. Mr. Speaker, do the amendments mean that the farmer must get a license from the Milk Control Commission?

Mr. FOX. Any operator, any farm operator, who is selling pasteurized milk to the public at his farm would have to get a license. I think it is necessary that he get a license in order that the Milk Control Commission would know who these operators are and where they are, so he would be required to get a particular license. The fee would be \$15 a year, and they would not be charged a license fee on the same basis as licensed milk dealers.

Mr. DOWN. But, Mr. Speaker, would they be charged a fee?

Mr. FOX. Yes.

Mr. DOWN. They would?

Mr. FOX. Yes.

Mr. DOWN. And did the gentleman say that it does eliminate all the paper work that ordinarily a milk dealer would have to go through?

Mr. FOX. That is true. The many records that a milk dealer has to keep would be eliminated in the case of these farm operators.

Mr. DOWN. In other words, Mr. Speaker, the only thing that is not eliminated with these amendments is the farmer being put under the price control structure of the Milk Control Commission, is that right?

Mr. FOX. Yes, that is right. It specifies in the amendments—this is a question that was raised at the previous discussion and this is spelled out specifically in the amendments—that hearings would be held and conditions relating to the marketing of milk in this manner would be considered in establishing the price.

Mr. DOWN. I thank the gentleman.

Mr. Speaker, I might say that I do not object to the amendments but it still does not help the philosophy of the bill any. Thank you.

On the question recurring,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of Senate bill No. 111, entitled:

An Act revising the procedure to be followed concerning arrest detention and bail and substituting criminal summons for warrant of arrest in certain criminal cases.

RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. GAILEY. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. GAILEY asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Title, page 1, second line of Title, by striking out "and" where it appears the second time.

Amend Title, page 1, last line of Title, by inserting after "cases" and fixing penalties

Amend Sec. 1, page 1, line 2, by inserting after "years" or in the case of larceny or fraudulent conversion, where the amount in question is two hundred dollars (\$200) or less

Amend Sec. 1, page 2, line 2, by inserting after "by" where it appears the first time; information as heretofore and a

Amend Sec. 1, page 2, line 2, by striking out "may" and inserting: shall

Amend Sec. 2, page 2, line 12, by inserting after "2" (a)

Amend Sec. 2, page 2, lines 12 and 13, by striking out "substantially"

Amend Sec. 2, page 3, by inserting between lines 10 and 11:

(b) Whoever shall, without cause, wilfully refuse or fail to appear at the time and place fixed by the criminal summons issued in the form prescribed by this section shall, upon conviction thereof before the judge, magistrate or justice of the peace issuing such summons, be sentenced to pay a fine not exceeding one hundred dollars (\$100).

Amend Sec. 4, page 3, line 15, by inserting after "summons" and a copy of the complaint

Amend Sec. 6, page 4, lines 1 to 3, by striking out all of said lines; and inserting:

Section 6. In any event in which the defendant fails to appear in court when required to do so as a result of proceedings pursuant to this act, the court in which the defendant was required to appear shall issue a warrant for his arrest.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? the Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILLS ON FINAL PASSAGE POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on final passage of Senate bill No. 191, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" including additional buses within the provisions relating to school buses further providing for the operation of school buses and lights located thereon and providing penalties.

RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. POLEN. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. McCANN asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Sec. 1 (Sec. 840), page 2, lines 10 and 14, by striking out the bracket before "Every" in line 10, and after "light" in line 14.

Amend Sec. 1 (Sec. 840), page 2, lines 14 and 16, by striking out the bracket before "originally" in line 14, and after "shall" in line 16.

Amend Sec. 2 (Sec. 840), page 4, lines 11 to 13, by striking out all of said lines.

Amend Sec. 2 (Sec. 840), page 5, line 5, by striking out "alternately"

Amend Sec. 2 (Sec. 840), page 5, line 13, by striking out "alternately"

Amend Sec. 3 (Sec. 1018), page 9, line 18, by striking out "alternately"

Amend Sec. 3 (Sec. 1018), page 10, line 3, by striking out "alternately"

Amend Sec. 3 (Sec. 1018), page 10, line 4, by striking out "alternately"

Amend Sec. 3 (Sec. 1018), page 10, line 10, by striking out "alternately"

Amend Sec. 3 (Sec. 1018), page 10, line 19, by striking out "alternately"

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on final passage of Senate bill No. 601, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" permitting motor vehicles owned and used by certain persons engaged in collecting news to be equipped with a warning light.

RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. POLEN. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. McCANN asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Sec. 1 (Sec. 820), page 2, line 8, by striking out "PERSON" and inserting corporation

Amend Sec. 1 (Sec. 820), page 2, line 9, by inserting after "GAGED" exclusively on a full-time daily basis

Amend Sec. 1 (Sec. 820), page 2, line 13, by striking out "such person OR HIS EMPLOYE" and inserting an employee of such a corporation

Amend Sec. 1 (Sec. 820), page 2, line 15, by inserting after "EMERGENCIES" No motor vehicle shall be used for this purpose unless a certificate therefor has been issued by the Secretary of Revenue.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1789, entitled:

An Act to provide revenue for educational purposes by imposing an excise tax on rents royalties interest dividends and capital gains from investment capital as defined of individual residents and nonresidents of the Commonwealth and of estates and trusts fixing the rates of tax thereon providing for the reporting and payment of tax interest and penalties assessments collections liens reviews appeals refunds and penalties and conferring powers and imposing duties upon the Department of Revenue fiduciaries partnerships associations and individuals.

On the question,

Will the House agree to the bill on third reading?

Mr. McCANN asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Section 306, page 11, line 2, by inserting after "plan" and trusts established in compliance with section 302 subsections (c) 5 (A) and (g) of the Labor Management Relations Act, 61 Stat. 157.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The chair hears none.

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. The Chair recognizes the minority leader.

Mr. A. W. JOHNSON. Mr. Speaker, this being a very important bill, I believe it would be in order for Mr. McCann to explain his amendments.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Greene, Mr. McCann.

Mr. McCANN. Mr. Speaker, the amendments to 1789 deal with section 306. This is the section that excludes the interest and the health and welfare funds. This amendment inserts, "and trusts established in compliance with section 302" of the Labor Management Relations Act 61, Statue 157.

All this is is a technical clearance dealing with these funds. We believe that they were all properly excluded in section 306. The amendment just is the language in that section. I believe you will find that on page 10 of the present bill.

On the question recurring,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1807, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), changing certain definitions providing additional definitions changing basis for reimbursement by the Commonwealth on certain accounts consolidating certain provisions further providing for reimbursement by the Commonwealth to school districts and vocational school districts providing payments for specialized services and harmonizing language of existing law.

On the question,

Will the House agree to the bill on third reading?

Mrs. REIBMAN asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Title, page 1, fifth line of Title, by striking out "providing additional definitions"

Amend Title, page 1, eighth line of Title, by striking out "and vocational school dis-"

Amend Title, page 2, first line of Title on page 2, by striking out "tricts"

Amend Section 1 (Section 2501), page 3, lines 13 to 20; page 4, lines 1 and 2, by striking out "for the" in line 13; all of lines 14 to 20, all of line 1 on page 24; and "dollars (\$8300) for the school year 1968-1969", and inserting for the school year 1960-1961

Amend Section 1 (Section 2501), page 4, lines 4 and 5, by striking out "eight thousand six hundred dollars" on line 4; and "\$8600" on line 5, and inserting six thousand two hundred dollars (\$6200)

Amend Section 1 (Section 2501), page 5, line 11, by inserting after "1959-1960" 1960-1961

Amend Section 1 (Section 2501), page 5, line 15, by striking out "1960-1961" and inserting 1961-1962 and for each school year thereafter unless changed by act of the General Assembly

Amend Section 1 (Section 2501), page 5, line 20, by striking out "for the school year 1961-1962 by subtracting"

Amend Section 1 (Section 2501), page 6, lines 1 to 19; page 7, lines 1 to 19, by striking out all of said lines

Amend Section 1 (Section 2501), page 8, lines 1 and 2, by striking out all of said lines

Amend Section 2 (Section 2502), page 12, line 8, by striking out "1957-1959" and inserting 1958-1959

Amend Section 2 (Section 2502), page 12, lines 9 to 18, by striking out "by six thousand two" in line 9; all of lines 10 to 17; and "1968-1969" in line 18

Amend Section 2 (Section 2502), page 12, lines 18 and 19,

by striking out "eight thousand six" in line 18, and "hundred dollars (\$8600) or by" in line 19

Amend Section 2 (Section 2502), page 12, line 19, by inserting brackets before and after "lesser of"

Amend Section 2 (Section 2502), page 13, line 5, by inserting after "\$5800)" or the maximum instruction subsidy for the school year whichever is the lesser

Amend Section 3 (Section 2502.3), page 14, lines 19 and 20; and page 15, lines 1 to 17, by striking out all of said lines.

Amend Section 4, page 15, line 18, by striking out "4" and inserting 3

Amend Section 4, page 15, line 18, by striking out "July 3, 1961" and inserting immediately

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

The SPEAKER pro tempore. The Chair recognizes the lady from Northampton, Mrs. Reibman.

Mrs. REIBMAN. Mr. Speaker, House bill 1807, printer's No. 2405, which is on the calendar today and to which we are offering amendments, has provided for the raising of the reimbursement level to school districts and the appropriate local effort to be increased over a ten-year period. If this bill were passed in this condition, it would mean then that the legislature would be on record as recommending to the school districts that every year the reimbursement level would be raised by a certain amount.

In addition, on page 15 of House bill 1807 there has been incorporated a new theory of giving additional teaching unit credit for three additional teaching units to the school districts for specialized services. The Governor's Committee on Education has recommended that there be given incentive payments to school districts for guidance counselors and librarians. There are many people in education who feel that the additional teaching unit credit should not be limited to just those two areas of guidance counselors and librarians.

The Education Policy Commission of the National Association for Education has recommended that there be additional professional units for other fields other than just guidance counselors and librarians. And so on page 15 of this report we have included in this bill that additional teaching unit credit be given not only to guidance counselors and librarians, but to psychologists, curriculum specialists, reading development teachers, whatever it is that the school district feels is necessary to provide for a well-balanced, well-rounded program. This does not mean that the State will willy-nilly give these additional teaching units. There are things that the school districts would have to do. First of all, there would have to be prior approval; they would have to meet standards set by the State Council of Education.

The Select Committee on Education, both the House and the Senate, in joint session had felt and had made the agreement that a reimbursement level should only be increased for the interim period of one year, and that these amendments should be offered to strip House bill 1807 of everything except an interim subsidy of raising the reimbursement level from the present \$5,800 to \$6,200 with the appropriate local effort. That is what these amendments do, they carry out the agreement of the Select Committee in stripping the bill of everything except just an interim subsidy program for this one year.

On the question recurring,
Will the House agree to the amendments?
They were agreed to.

On the question,
Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1817, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949, providing for minimum compensation and increments and maximum mandated salary and increments and for qualifications for administrators and members of the faculty of State colleges, providing for leaves of absence * * * .

On the question,

Will the House agree to the bill on third reading?

Mr. POLEN asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Sec. 1 (Sec. 2014), page 3, lines 6 and 7, by striking out "ten (10) maximum mandated salary and increments twelve thou—" in line 6, all of line 7 and inserting four (4).

Amend Sec. 1 (Sec. 2014), page 3, lines 11 and 12, by striking out all of said lines and inserting four (4).

Amend Sec. 1 (Sec. 2014), page 3, lines 16 and 17, by striking out "eight (8) maximum mandated salary and incre—" in line 16, all of line 17 and inserting four (4).

Amend Sec. 1 (Sec. 2014), page 3, line 20; page 4, lines 1 and 2, by striking out "five" in line 20, page 3; all of lines 1 and 2, page 4, and inserting four (4).

Amend Sec. 1 (Sec. 2014), page 4, lines 3 to 7, by striking out all of lines 3 to 6, "(6)" in line 7, and inserting (5).

Amend Sec. 1 (Sec. 2014), page 4, line 12, by striking out "(7)" and inserting (6).

Amend Sec. 1 (Sec. 2014), page 5, line 4, by striking out "(8)" and inserting (7).

Amend Sec. 1 (Sec. 2014), page 5, line 10, by striking out "(9)" and inserting (8).

Amend Sec. 1 (Sec. 2015), page 5, line 18, by inserting after "Degree" and shall have seven (7) years' professional experience or its equivalent.

Amend Sec. 1 (Sec. 2015), page 6, line 1, by inserting after "credit" and in addition to either the Doctor's Degree or Master's Degree shall have five (5) years' professional experience or its equivalent.

Amend Sec. 1 (Sec. 2015), page 6, line 3, by inserting after "credit" and shall have three (3) years' professional experience or its equivalent.

Amend Sec. 1 (Sec. 2015), page 6, line 4, by inserting after "Degree" and shall have one (1) year's professional experience or its equivalent.

Amend Sec. 1 (Sec. 2015), page 6, line 10, by striking out "degree" and inserting degrees.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 520, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), granting a credit for certain suspensions toward revocation penalties including motorcycles within the provisions relating to reflectors and reflective materials providing for enforcement of equipment requirements, further defining the duty to stop in the event of an accident * * * .

On the question,

Will the House agree to the bill on third reading?

Mr. A. W. JOHNSON asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Sec. 3 (Sec. 817.1), page 5, line 13, by striking out "peace officer" and inserting: members of the Pennsylvania State Police

Amend Sec. 3 (Sec. 817.1), page 5, line 17, by striking out "To" and inserting: Such owner or operator shall

Amend Sec. 3 (Sec. 817.1), page 5, line 17, by striking out "peace officer" and inserting: Pennsylvania State Police

Amend Sec. 3 (Sec. 817.1), page 5, line 19, by striking out "that" where it appears the second time

Amend Sec. 3, (Sec. 817.1), page 6, lines 2 to 7, by striking out all of said lines and inserting: Penalty. It shall be unlawful for any person to operate a motor vehicle or a combination of motor vehicles for which a notification has been issued that such equipment is unsafe or unfit or in need of correction, adjustment or repairs after the said period of forty-eight (48) hours has elapsed and no certificate has been submitted to the Pennsylvania State Police showing that the equipment has been corrected, adjusted or repaired, and any person who operates such motor vehicle or combination of motor vehicles after said period.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 667, entitled:

An Act creating and establishing a continuing career system for technical and professional personnel in or assigned to the Department of Highways establishing and vesting certain powers in the Highway Technical and Professional Personnel Board and making an appropriation.

On the question,

Will the House agree to the bill on third reading?

Mr. McCANN asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Sec. 3, page 2, line 18 by inserting after "to" only

Amend Sec. 3, page 3, line 14 by inserting after "to" only

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. For what purpose does the minority leader rise?

Mr. A. W. JOHNSON. Just to inform the membership on this side of the House, these are amendments being offered to the State Highway Department's civil service bill. The amendment that is being inserted now is a corrective amendment and inserts the word "only" in the bill.

Tomorrow on the Republican side we will offer comprehensive amendments to the bill which will be debated at length.

On the question recurring,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

LEAVES OF ABSENCE

By unanimous consent leaves of absence were granted as follows:

Mr. Dougherty for Mr. MIHM for the week.

Mr. Tompkins for Mr. ASHTON for the week because of illness.

Mr. Tompkins for Mr. WILLAREDT for today.

Mr. Tompkins for Mr. STECKEL for today.

The SPEAKER pro tempore. The Chair returns the gavel to the Speaker of the House.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1829, entitled:

An Act amending the "Parking Authority Law" approved June 5, 1947 (P. L. 458), authorizing the extension of the term of existence of an Authority by resolution or ordinance of the municipality.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Goldstein.

Mr. M. H. GOLDSTEIN. Will one of the sponsors of the bill consent to be interrogated concerning this bill?

The SPEAKER. Will Mr. Eilberg consent to be interrogated?

Mr. EILBERG. I shall, Mr. Speaker.

Mr. M. H. GOLDSTEIN. Mr. Speaker, what is the present life of the parking authority in Philadelphia today?

Mr. EILBERG. I did not hear the gentleman's question.

Mr. M. H. GOLDSTEIN. What is the present life of the parking authority in Philadelphia today?

Mr. EILBERG. Fifty years.

Mr. M. H. GOLDSTEIN. Fifty years. And if during that 50-year period, say in 1990, city council wants to

extend it another 50 years, then it can go over to 2040? Is that correct, under this act?

Mr. EILBERG. That is correct as far as I know.

Mr. M. H. GOLDSTEIN. Thank you.

Now, Mr. Speaker, I believe the authority was established by statute as a means of avoiding a serious tax problem, and to allow council to extend an authority for 50 years would be a very dangerous thing as far as taxpayers are concerned.

We think the bill is unsound and it should be defeated.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—118

Anderson, S. A.,	Frascella,	Long, Wm. Jas.,	Reidenbach,
Arlene,	Fry,	Long, Wm. Jos.,	Renwick,
Bachman,	Galley,	Lutty,	Riley,
Backenstoe,	Gallagher,	Markley,	Rovansek,
Boles,	Gelfand,	McCann,	Rubin,
Bonner,	Gibbons,	McDevitt,	Rudisill,
Bowman,	Goldstein, J. H.,	McDonald,	Sakulsky,
Branca,	Goodrich,	McKeever,	Scarcelli,
Breth,	Gray,	McLaughlin,	Schaaf,
Capano,	Gremminger,	McNally,	Schuster,
Capitolo,	Hamilton,	Meholchick,	Shelton,
Cianfrani,	Hartley,	Monroe,	Sherman,
Clarke,	Helm,	Morley,	Shupnik,
Comer,	Isaacs,	Mullen,	Slack,
Cooley,	Jenkins,	Munley,	Snare,
Crossin,	Jim,	Murphy,	Stank,
Curwood,	Johnson, A. W.,	Murray,	Stimmel,
Davis,	Johnson, R. P.,	Musto,	Sullivan, J. A.,
Dengler,	Jones,	Needham,	Taylor,
Dougherty,	Kelly,	O'Donnell, J. A.,	Tomascik,
Edwards,	Kernaghan,	O'Donnell, J. P.,	Trusio,
Eilberg,	Klein,	Odorisio,	Verona,
Elvey,	Knecht,	Parlante,	Wall,
Eshback,	Kornick,	Pashley,	Walsh,
Farabaugh,	Kramer,	Perry,	Wargo,
Fetterolf,	Lawson,	Petrosky,	Welsh,
Filo,	Lee, A. M.,	Polaski,	Willard,
Fineman,	Leonard,	Polen,	Zimmerman,
Flynn,	Limper,	Reibman,	Andrews,
Foerster,	Lippincott,		Speaker

NAYS—72

Adams,	Gibb,	Kistler,	Rutherford,
Anderson, J. H.,	Goldstein, M. H.,	Kooker,	Seltzer,
Auker,	Gornlich,	Korns,	Simmons,
Blair,	Gross,	Lee, K. B.,	Stiteler,
Bossert,	Guthrie,	Magee,	Strausser,
Bower,	Haudenschild,	Manbeck,	Thompson,
Buchanan,	Heavey,	Marsh,	Tompkins,
Bush,	Heffner,	May,	Varner,
Dennison,	Henzel,	McCandless,	Weidner,
Donaldson,	Hocker,	McInroy,	Wescott,
Down,	Holl,	Merry,	Whittaker,
Eshleman,	Holliday,	Miller,	Williams, A. D.,
Esler,	Holman,	O'Dell,	Williams, E. S.,
Ewing,	Horst,	Ogilvie,	Wilt,
Foor,	Irvis,	Piper,	Wood,
Fox,	Keiser,	Price,	Worley,
Fulmer,	Kessler,	Pursley,	Wynd,
George,	King,	Royer,	Zember,

NOT VOTING—20

Ashton,	Guesman,	McCormack,	Stone,
Cauley,	Hankins,	Mihm,	Sullivan, T. F.,
Cioffi,	Kamyk,	Mills,	Ujohal,
Doughten,	Lamb,	Prendergast,	Willaredt,
Greenlee,	Maxwell,	Steckel,	Yetter,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order.

The House proceeded to the third reading and consideration of House bill No. 1830, entitled:

An Act amending the "Parking Authority Law" approved June 5, 1947 (P. L. 458), authorizing the sale or leasing of the space above any parking facility for commercial purposes other than the sale of gasoline, or automobile accessories.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—133

Anderson, S. A.,	Frascella,	Lawson,	Reibman,
Arlene,	Fry,	Lee, A. M.,	Reidenbach,
Bachman,	Galley,	Leonard,	Renwick,
Backenstoe,	Gallagher,	Long, Wm. Jas.,	Riley,
Boles,	Gelfand,	Long, Wm. Jos.,	Rovasek,
Bonner,	Gibbons,	Lutty,	Rubin,
Bossert,	Goldstein, J. H.,	Markley,	Rudisill,
Bower,	Gramlich,	Marsh,	Sakulsky,
Branca,	Gray,	May,	Scarcelli,
Breth,	Gremminger,	McCann,	Schaaf,
Buchanan,	Hamilton,	McDevitt,	Schuster,
Capano,	Hartley,	McDonald,	Seltzer,
Capitolo,	Heavey,	McKeever,	Shelton,
Cianfrani,	Heffner,	McLaughlin,	Sherman,
Clarke,	Helm,	Meholchick,	Shupnik,
Comer,	Holliday,	Merry,	Slack,
Cooley,	Holman,	Monroe,	Snare,
Crossin,	Irvis,	Morley,	Stank,
Curwood,	Isaacs,	Mullen,	Stimmel,
Davis,	Jenkins,	Munley,	Strausser,
Dengler,	Jim,	Murphy,	Sullivan, J. A.,
Dougherty,	Johnson, A. W.,	Musto,	Taylor,
Down,	Johnson, R. P.,	Needham,	Thompson,
Edwards,	Jones,	O'Donnell, J. A.,	Trusio,
Ellberg,	Kelly,	O'Donnell, J. P.,	Verona,
Elvey,	Kernaghan,	Odorisio,	Wall,
Eshback,	Kessler,	Parlante,	Walsh,
Esler,	Kistler,	Pashley,	Wargo,
Farabaugh,	Klein,	Perry,	Welsh,
Fetterolf,	Knecht,	Petrosky,	Willard,
Filo,	Kooker,	Piper,	Zember,
Fineman,	Kornick,	Polaski,	Zimmerman,
Flynn,	Kramer,	Polen,	Andrews,
Foerster,			Speaker

NAYS—53

Adams,	Gibb,	Lee, K. B.,	Simmons,
Anderson, J. H.,	Goldstein, M. H.,	Lippincott,	Stiteler,
Auker,	Goodrich,	Magee,	Tompkins,
Blair,	Gross,	Manbeck,	Varnar,
Bowman,	Guthrie,	McCandless,	Weldner,
Bush,	Haudenschild,	McInroy,	Wescott,
Dennison,	Henzel,	Miller,	Whittaker,
Donaldson,	Hocker,	O'Dell,	Williams, A. D.,
Eshleman,	Holl,	Oglvie,	Williams, E. S.,
Ewing,	Horst,	Price,	Wilt,
Foor,	Kelser,	Pursley,	Wood,
Fox,	King,	Royer,	Worley,
Fulmer,	Korns,	Rutherford,	Wynd,
George,			

NOT VOTING—24

Ashton,	Hankins,	McNally,	Stone,
Cauley,	Kamyk,	Mihm,	Sullivan, T. F.,
Cloff,	Lamb,	Mills,	Tomasclik,
Doughten,	Limper,	Murray,	Ujobal,
Greenlee,	Maxwell,	Prendergast,	Willardt,
Guesman,	McCormack,	Steckel,	Yetter,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

ANNOUNCEMENT BY MAJORITY LEADER

Mr. McCANN. Mr. Speaker, the next bill is House bill 1831 which would create common pleas court No. 8 in Philadelphia. I have been informed that at the present time some bills creating some of the courts are favored by some and not favored by others. The total number of judges that are to be created in legislative bills in the House and the Senate, I believe, should travel as a package and be a part of an agreement. There is a bill for one judge in Bucks County; that is Senate bill No. 20. That is on the calendar. We have a bill for one judge in Butler County in House bill No. 1625; it is on the calendar; a bill for one court in Philadelphia, three judges, House bill 1831 on the calendar; a bill in the Senate dealing with the Montgomery County judge seat, and one in the Senate dealing with the Berks County judge seat.

In the House we have at the present time the two House bills on Butler County and Philadelphia, and the Senate bill dealing with the Bucks County judge seat. I am going to call up the Philadelphia judge seat bill, the Philadelphia court bill dealing with three judges. It is my understanding from information from many who have talked to me that they prefer to vote for one and not for the other. If the bills are to fall they will all fall. None will pass or they will all pass. Therefore, I will call up House bill 1831 and ask you to support the entire judges' plan, these judges' seats dealing with Bucks County, Butler County, Montgomery County, Berks County and Philadelphia County.

The SPEAKER. For what purpose does the gentleman from Philadelphia, Mr. Lee, rise?

Mr. A. M. LEE. To debate the bill at the proper time, Mr. Speaker.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1831, entitled:

An Act increasing the number of courts of common pleas in the County of Philadelphia establishing therein a distinct and separate court of common pleas designated court of common pleas number eight and providing for the appointment and election of judges for the court.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Lee.

Mr. A. M. LEE. Mr. Speaker, I rise to debate House bill 1831. I would like to say first a word apropos of the remarks of the majority leader, that it certainly seems to me that he takes a very crass and cynical approach to legislation creating judges in the State of Pennsylvania when he tries to tie them all together in a package. It seems to me that the various counties and judicial districts in the State of Pennsylvania either have the need and the demand for additional judges, or they do not. There is nothing to prevent all sorts of bills being introduced creating additional judges all over the Commonwealth. Therefore it seems to me right and proper that each one of these bills should be dealt with on its individ-

ual merits and on the situation as it seems in the judicial district in question and I therefore reject completely the comment he has made as to these bills going as a package and there being some sort of agreement of some kind. If Bucks County needs a judge, they should get one; if Philadelphia County needs judges, they should get them, and they should be dealt with individually.

With reference specifically to House bill 1831, as far as that bill is concerned, Mr. Speaker, I am opposed to it. I do not feel that there has been a demonstrated need as far as the city of Philadelphia is concerned for the creation of three additional judges in the court of common pleas. There is a substantial movement on foot at the present time to have a complete survey of the operation of the judicial system down there before any additional judges are created. I would also like to point out that from my own experience I do not know where in the world they would put them if they created them. At the present time the physical facilities of the court in the city of Philadelphia are appalling, and I just have no conception as to where these judges could set up shop if they were created. I therefore ask the members to vote "no" on House bill 1831.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Eilberg.

Mr. EILBERG. Mr. Speaker, would the gentleman from Philadelphia, Mr. Lee, consent to be interrogated?

The SPEAKER. Will the gentleman from Philadelphia, Mr. Lee, permit himself to be interrogated?

Mr. A. M. LEE. I shall, Mr. Speaker.

Mr. EILBERG. Mr. Speaker, the gentleman has stated that there is no need for a common pleas court No. 8 in Philadelphia. I would ask the gentleman, is it not a fact that if a civil suit were to be started in common pleas court in Philadelphia, any common pleas court, it would take an average of three years for that suit to come to trial in a civil jury trial case?

Mr. A. M. LEE. The answer to that question, Mr. Speaker, is, "Yes." It would take three years for the case to come to trial, but I think the period could be materially shortened if there were courtroom facilities available for the trial of the cases because at the present time they are operating in all the courtrooms all the time and additional physical facilities could, in my opinion, go a long way in solving that problem.

Mr. EILBERG. Mr. Speaker, I would also like to inquire of the gentleman, is it not a fact that plans are presently on the drawing board for the erection of a new city administration building on Reyburn Plaza?

Mr. A. M. LEE. Yes, it is my understanding that those plans are on the drawing board. It is in my brief knowledge a controversial project. I have no idea what court facilities are to be provided in this particular building and I would certainly suggest that as long as those plans are on the drawing board, House bill 1831 should be left on the drawing board, too.

Mr. EILBERG. I thank the gentleman, Mr. Speaker.

Mr. Speaker, we are in the session of 1961 and we will not have the opportunity again until 1963, at the earliest, to consider the possibility of creating a new common pleas court No. 8. As I have pointed out in my interrogation, there is a backlog of approximately three years in the trial of civil jury trial cases in the city of Philadelphia. We must do something about this problem.

As far as the facilities are concerned, I am not impressed with the remarks of the gentleman that there is not room in city hall. I believe there are courtrooms that could be used, because there are courtrooms that are not in use every day of the week every week of the year. Moreover, as I pointed out in my interrogation, there are plans afoot now, controversial or not, to erect a new city hall, a new hall for courts, as well as other departments of the city of Philadelphia.

I urge everyone to vote for this bill on the merits of this bill alone.

The SPEAKER. We had a prior request. Does the gentleman from Berks, Mr. Piper, desire to be recognized at this time?

Mr. PIPER. I do, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Berks, Mr. Piper.

Mr. PIPER. Mr. Speaker, I object to the majority leader putting all of these bills into a package for the simple reason that Philadelphia may need an additional judge. There may be other counties that need an additional judge, but Berks County does not need an additional judge and I earnestly request that that bill, if it is going to be printed, be put in separately. Our president judge appeared before the Senate Judiciary Committee and he testified that we do not need a new judge in Berks County, that we had all the work they could handle, they sat out 60 days last year, and for that reason I object to these bills being taken in a package. I thank you.

Mr. M. H. GOLDSTEIN. Mr. Speaker, I intend to vote against every bill creating a new judge in the Commonwealth of Pennsylvania, regardless of the mandate directed at us by the majority leader. His remarks were rather presumptuous, and I so state.

Regarding the merits of this bill, we should not vote for additional judges in Philadelphia or Allegheny County until we have a court administrator bill. We have House bill No. 1634 which has been in the Committee on Judiciary since June 5, and I understand that the Democratic administration is in favor of the court administrator bill. The judges' bill was introduced on July 13—four judges in less than a month; no court administrator in more than two months. Let us vote against all the bills.

Mr. EILBERG. Mr. Speaker, a court administrator would not be able to try cases. A court administrator in Philadelphia would cost \$60,000. We are requesting \$60,000 in connection with the creation of common pleas court No. 8. We think the best way to try cases in Philadelphia is to provide the judges to try the cases.

Mr. A. W. JOHNSON. Mr. Speaker, I would like to interrogate the gentleman from Washington, Mr. Polen, chairman of the Committee on Appropriations.

The SPEAKER. Will the gentleman from Washington, Mr. Polen, permit himself to be interrogated?

Mr. POLEN. I shall, Mr. Speaker.

Mr. A. W. JOHNSON. Mr. Speaker, I would like to ask a question. I notice in all these judges' bills there is an appropriation. Is there any money available in the budget for these sums in view of the tremendous decrease in revenue?

Mr. POLEN. Mr. Speaker, these items are not included in the budget because they are additional pieces of legislation that have been passed, or in the process of being passed, since the budget was made. However, the amounts

contained in the bills as appropriations have been allocated and put into our figures. In other words, if these bills pass, the estimated revenues as we now have them would cover them. I must once again remind the House, though, that it will be necessary for the two bills languishing in the Senate to be passed in order to provide these necessary funds.

Mr. A. W. JOHNSON. I thank the gentleman.

Mr. Speaker, in view of the statement of the chairman of the Appropriations Committee, we realize there is no money in the budget, and we do not think there is any money in the Commonwealth's general fund to pay this in view of the frightful decrease in revenue owing to the business recession. It seems, in view of the debate here, that a city hall is going to be built in Philadelphia. In view of the huge undertaking there, we should, therefore, lay the request for these judges aside until they have chambers in which to place these judges and until we have adequate funds in the Commonwealth with which to pay the salaries of these judges.

Therefore, I ask that the members vote "no" on this bill.

The SPEAKER. The Chair recognizes the gentleman from Cameron, Mr. Tompkins.

Mr. TOMPKINS. Mr. Speaker, I would like to interrogate the gentleman from Philadelphia, Mr. Eilberg.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Eilberg, permit himself again to be interrogated?

Mr. EILBERG. I shall, Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, this bill as it appears in the caption on the calendar asks that an additional court, No. 8, of common pleas be created in Philadelphia. In doing so, how many additional judges would this incur?

Mr. EILBERG. Three judges.

Mr. TOMPKINS. Three judges. That would be a president judge and two additional judges?

Mr. EILBERG. That is correct.

Mr. TOMPKINS. I thank the gentleman, Mr. Speaker.

Mr. Speaker, the Constitutional Revision Commission took this question up and looked at it very thoroughly. When we had hearings in the city of Philadelphia, the then chancellor of the Philadelphia Bar came before us. We had serving on that committee, also, former Chief Justice Stern of the Supreme Court of this State, who is also a Philadelphia resident. Also serving on that committee was Mayor Dilworth of Philadelphia. Now, the consensus of opinion, objectively and in connection with a part of the problems in Philadelphia, was not more courts and more judges, but a consolidation of the seven presently existing courts in Philadelphia into one, whereby they would have one president judge and the balance of the 20 judges operating as such.

When we get information of that kind from that calibre of individuals in the city of Philadelphia, then I say to you that the creation of an additional court is not going to help solve the court problems in the city of Philadelphia.

There is in this session at the present time a bill to provide for that consolidation, a constitutional amendment, and, rather than pass a piece of legislation like this, that constitutional amendment should be trotted out and get your courts in shape where they can do business in the city of Philadelphia.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Eilberg.

Mr. EILBERG. Very briefly, Mr. Speaker, in reply to

the remarks of the gentleman, Mr. Tompkins, if we have to wait for a constitutional amendment, by the time that amendment is voted upon by the people and additional court facilities provided, I venture to say that the backlog would be more like five years instead of the present three years.

The SPEAKER. The Chair recognizes the gentleman from Warren, Mr. Goldstein.

Mr. J. H. GOLDSTEIN. Mr. Speaker, on this question of the creation of additional judges, I think that the legislature should take into consideration the question of sound fiscal responsibility. We have before us a very momentous question of appropriations for schools and school subsidies. I think if there is any money that is available we should spend that money in order to educate our youth properly so that they can, in time, become judges and at that time receive the salaries of the present judges and the additional ones. I think the first thing to think of is the education of our youth.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—89

Anderson, S. A.,	Hamilton,	McLaughlin,	Renwick,
Arlene,	Hankins,	McNally,	Riley,
Bachman,	Hartley,	Meholchick,	Rovansek,
Boles,	Heavey,	Mills,	Rubin,
Bonner,	Irviss,	Monroe,	Rudisill,
Branca,	Jenkins,	Morley,	Sakulsky,
Breth,	Jim,	Mullen,	Scarcelll,
Capano,	Jones,	Munley,	Schaaf,
Capitolo,	Kelly,	Murphy,	Schuster,
Clarke,	Klein,	Murray,	Shelton,
Comer,	Kramer,	Musto,	Sherman,
Cooley,	Lamb,	Needham,	Shupnik,
Crossin,	Lawson,	O'Donnell, J. A.,	Stank,
Curwood,	Leonard,	O'Donnell, J. P.,	Sullivan, J. A.,
Filo,	Limper,	Parlante,	Taylor,
Flynn,	Long, Wm. Jas.,	Pashley,	Tomascik,
Frascella,	Long, Wm. Jos.,	Perry,	Verona,
Fry,	Lutty,	Petrosky,	Wargo,
Galley,	Maxwell,	Polaski,	Welsh,
Gallagher,	McCann,	Polen,	Yetter,
Gelfand,	McDevitt,	Reibman,	Andrews,
Gray,	McDonald,	Reidenbach,	Speaker
Gremminger,	McKeever,		

NAYS—105

Adams,	Foor,	Kessler,	Rutherford,
Anderson, J. H.,	Fox,	King,	Seltzer,
Auker,	Fulmer,	Kistler,	Simmons,
Backenstoe,	George,	Knecht,	Slack,
Blair,	Gibb,	Kooker,	Snare,
Bossert,	Gibbons,	Kornick,	Stimmel,
Bower,	Goldstein, J. H.,	Korns,	Stiteler,
Bowman,	Goldstein, M. H.,	Lee, A. M.,	Strausser,
Buchanan,	Goodrich,	Lee, K. B.,	Thompson,
Bush,	Gramlich,	Lippincott,	Tompkins,
Cianfrani,	Gross,	Magee,	Trusio,
Davis,	Guthrie,	Manbeck,	Varnier,
Dengler,	Haudenshield,	Markley,	Wall,
Dennison,	Heffner,	Marsh,	Walsh,
Donaldson,	Helm,	May,	Weidner,
Dougherty,	Henzel,	McCandless,	Wescott,
Down,	Hocker,	McInroy,	Whittaker,
Edwards,	Holl,	Merry,	Willard,
Eilberg,	Holliday,	Miller,	Williams, A. D.,
Elvey,	Holman,	O'Dell,	Williams, E. S.,
Eshback,	Horst,	Odorisio,	Wilt,
Eshleman,	Isaacs,	Ogilvie,	Wood,
Esler,	Johnson, A. W.,	Piper,	Worley,
Ewing,	Johnson, R. P.,	Price,	Wynd,
Fetterolf,	Kelser,	Pursley,	Zember,
Fineman,	Kernaghan,	Royer,	Zimmerman,
Foerster,			

NOT VOTING—16

Ashton,	Farabaugh,	McCormack,	Stone,
Cauley,	Greenlee,	Mihm,	Sullivan, T. F.,
Cioffi,	Guesman,	Prendergast,	Ujobal,
Doughten,	Kamyk,	Steckel,	Willaredt,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 318, entitled:

An Act amending the "Third Class County Board Assessment Law" approved June 26, 1931 (P. L. 1379), imposing certain minimum limitations on making assessments.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—99

Adams,	Gallagher,	Long, Wm. Jos.,	Petrosky,
Anderson, S. A.,	Gelfand,	Lutty,	Polaski,
Arlene,	Goldstein, M. H.,	Markley,	Polen,
Bachman,	Gray,	Maxwell,	Reldenbach,
Backenstoe,	Gremminger,	McCandless,	Riley,
Blair,	Hamilton,	McCann,	Rovansek,
Boies,	Hankins,	McDevitt,	Rubin,
Bonner,	Hartley,	McDonald,	Rudisill,
Branca,	Haudenshield,	McKeever,	Sakulsky,
Breth,	Heavey,	McLaughlin,	Scarcelli,
Capitolo,	Henzel,	McNally,	Schaaaf,
Cianfrani,	Irvis,	Meholchick,	Schuster,
Clarke,	Jenkins,	Mills,	Shelton,
Comer,	Jim,	Monroe,	Sherman,
Cooley,	Jones,	Morley,	Stimmel,
Curwood,	Kelly,	Mullen,	Sullivan, J. A.,
Dougherty,	Klein,	Munley,	Taylor,
Ellberg,	Kooker,	Murray,	Tomasick,
Farabaugh,	Kornick,	Musto,	Trusio,
Filo,	Kramer,	Needham,	Walsh,
Fineman,	Lamb,	O'Dell,	Wargo,
Foerster,	Lawson,	O'Donnell, J. P.,	Welsh,
Frascella,	Leonard,	Parlante,	Yetter,
Fry,	Limper,	Pashley,	Andrews,
Galley,	Long, Wm. Jas.,	Perry,	Speaker

NAYS—96

Anderson, J. H.,	Fulmer,	Knecht,	Shupnik,
Auker,	George,	Korns,	Simmons,
Bossert,	Gibb,	Lee, A. M.,	Slack,
Bower,	Gibbons,	Lee, K. B.,	Snare,
Bowman,	Goldstein, J. H.,	Lippincott,	Stank,
Buchanan,	Goodrich,	Magee,	Stiteler,
Bush,	Gramlich,	Manbeck,	Strausser,
Capano,	Gross,	Marsh,	Thompson,
Crossin,	Guthrie,	May,	Tompkins,
Davis,	Heffner,	McInroy,	Varner,
Dengler,	Helm,	Merry,	Wall,
Dennison,	Hecker,	Miller,	Weidner,
Donaldson,	Holl,	Murphy,	Wescott,
Down,	Holliday,	O'Donnell, J. A.,	Whittaker,
Edwards,	Holman,	Odorisio,	Willard,
Elvey,	Horst,	Ogilvie,	Williams, A. D.,
Eshback,	Isaacs,	Piper,	Williams, E. S.,
Eshleman,	Johnson, A. W.,	Price,	Wilt,
Esler,	Johnson, R. P.,	Pursley,	Wood,
Ewing,	Kelser,	Reibman,	Worley,
Fetterolf,	Kernaghan,	Renwick,	Wynd,
Flynn,	Kessler,	Royer,	Zember,
Foor,	King,	Rutherford,	Zimmerman,
Fox,	Kistler,	Seltzer,	

NOT VOTING—15

Ashton,	Greenlee,	Mihm,	Sullivan, T. F.,
Cauley,	Guesman,	Prendergast,	Ujobal,
Cioffi,	Kamyk,	Steckel,	Willaredt,
Doughten,	McCormack,	Stone,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 407, entitled:

An Act amending "The Fourth to Eighth Class County Assessment Law" approved May 21, 1943 (P. L. 571), imposing certain temporary restrictions on the taxing authorities of political subdivisions affected by the provisions of said act.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—104

Adams,	Gallagher,	Maxwell,	Polen,
Anderson, S. A.,	Gelfand,	McCandless,	Price,
Arlene,	Goldstein, M. H.,	McCann,	Reibman,
Bachman,	Gray,	McDevitt,	Reldenbach,
Backenstoe,	Gremminger,	McDonald,	Riley,
Blair,	Hamilton,	McKeever,	Rovansek,
Boies,	Hankins,	McLaughlin,	Rubin,
Bonner,	Hartley,	McNally,	Rudisill,
Branca,	Haudenshield,	Meholchick,	Sakulsky,
Breth,	Heavey,	Mills,	Scarcelli,
Capitolo,	Henzel,	Monroe,	Schaaaf,
Cianfrani,	Irvis,	Morley,	Schuster,
Clarke,	Jim,	Mullen,	Shelton,
Comer,	Jones,	Munley,	Sherman,
Cooley,	Kelly,	Murphy,	Shupnik,
Crossin,	Klein,	Murray,	Stimmel,
Curwood,	Kooker,	Musto,	Sullivan, J. A.,
Dougherty,	Kornick,	Needham,	Taylor,
Ellberg,	Kramer,	O'Dell,	Tomasick,
Farabaugh,	Lamb,	O'Donnell, J. A.,	Trusio,
Filo,	Lawson,	O'Donnell, J. P.,	Verona,
Fineman,	Limper,	Parlante,	Wargo,
Foerster,	Long, Wm. Jas.,	Pashley,	Walsh,
Frascella,	Long, Wm. Jos.,	Perry,	Welsh,
Fry,	Lutty,	Petrosky,	Yetter,
Galley,	Markley,	Polaski,	Andrews,

Speaker

NAYS—89

Anderson, J. H.,	Fulmer,	King,	Simmons,
Auker,	George,	Kistler,	Slack,
Bossert,	Gibb,	Knecht,	Snare,
Bower,	Gibbons,	Korns,	Stank,
Bowman,	Goldstein, J. H.,	Lee, A. M.,	Stiteler,
Buchanan,	Goodrich,	Lee, K. B.,	Strausser,
Bush,	Gramlich,	Lippincott,	Thompson,
Capano,	Gross,	Magee,	Tompkins,
Davis,	Guthrie,	Manbeck,	Varner,
Dengler,	Heffner,	Marsh,	Wall,
Dennison,	Helm,	May,	Weidner,
Donaldson,	Hocker,	McInroy,	Wescott,
Down,	Holl,	Merry,	Whittaker,
Edwards,	Holliday,	Miller,	Willard,
Elvey,	Holman,	Odorisio,	Williams, A. D.,
Eshback,	Horst,	Ogilvie,	Williams, E. S.,
Eshleman,	Isaacs,	Piper,	Wilt,
Esler,	Johnson, A. W.,	Pursley,	Wood,
Ewing,	Johnson, R. P.,	Renwick,	Worley,
Fetterolf,	Kelser,	Royer,	Wynd,
Flynn,	Kernaghan,	Rutherford,	Zember,
Foor,	Kessler,	Seltzer,	Zimmerman,
Fox,			

NOT VOTING—17

Ashton,	Guesman,	McCormack,	Stone,
Cauley,	Jenkins,	Mihm,	Sullivan, T. F.,
Cioffi,	Kamyk,	Prendergast,	Ujobal,
Doughten,	Leonard,	Steckel,	Willaredt,
Greenlee,			

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

SENATE MESSAGE

AMENDED SENATE BILL RECALLED FROM THE GOVERNOR RETURNED FOR CONCURRENCE

The clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 114.

An Act reenacting and amending section 13 and Article VII of Chapter II of the act of December 15, 1959 (P. L. 1779), entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" removing the requirement that fishermen be licensed in order to fish in certain regulated fishing lakes further regulating the issuance of permits or bills of sale for fish caught in such lakes changing penalties relating to such lake and harmonizing language of existing law.

Said bill having been recalled from the Governor for the purpose of amendment. The vote had on final passage and third reading on said bill was reconsidered in the Senate and the bill amended, in which amendments the concurrence of the House of Representatives is requested.

The SPEAKER. The clerk will read the amendments.

The clerk read the amendments as follows:

Amend Section 1, page 5, line 16, by striking out after the word "license" the following: "prior to January 1 1961 or" and inserting in lieu thereof the word "and" and by inserting after the word "lake" on line 19, the following: "or water to which the fishing lake has riparian rights".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. TOMPKINS. Mr. Speaker, we have not caucused on this bill, but it is a bill recalled from the Governor, and, as I understand it, the amendments inserted by the Senate are amendments to meet objections of the attorney general.

Mr. McCANN. Mr. Speaker, I yield to the gentleman from Clearfield, Mr. Breth.

The SPEAKER. The Chair recognizes the gentleman from Clearfield.

Mr. BRETH. Mr. Speaker, as I understand it, this bill was passed and went to the Governor and it laid on his desk; it was studied by the Justice Department and one of the sections was found unconstitutional. It was recalled from the Governor and these are the amendments to make it constitutional.

Mr. TOMPKINS. I thank the gentleman.

Mr. BRETH. Mr. Speaker, I am still of the opinion that this is not good legislation. The Fish Commission is in trouble financially and this will put it deeper and deeper into trouble. I still oppose the bill, constitutional or not.

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

On the question recurring,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—172

Adams,	Fry,	Kramer,	Polen,
Anderson, J. H.,	Fulmer,	Lamb,	Price,
Anderson, S. A.,	Gallagher,	Lawson,	Reibman,
Arlene,	Gelfand,	Lee, A. M.,	Riley,
Auker,	George,	Lee, K. B.,	Royer,
Backenstoe,	Gibb,	Leonard,	Rubin,
Boles,	Gibbons,	Limper,	Rudisill,
Bonner,	Goldstein, J. H.,	Lippincott,	Rutherford,
Bowman,	Goldstein, M. H.,	Long, Wm. Jas.,	Sakulsky,
Branca,	Goodrich,	Long, Wm. Jos.,	Scarcelli,
Breth,	Gramlich,	Lutty,	Schaaf,
Buchanan,	Gray,	Magee,	Schuster,
Bush,	Gremminger,	Manbeck,	Seltzer,
Capano,	Guthrie,	Markley,	Shelton,
Capitolo,	Hamilton,	Marsh,	Sherman,
Cianfrani,	Hankins,	Maxwell,	Simmons,
Clarke,	Hartley,	May,	Slack,
Comer,	Haudenshield,	McCandless,	Stank,
Cooley,	Heavey,	McCann,	Stimmel,
Crossin,	Heffner,	McDevitt,	Strausser,
Curwood,	Helm,	McDonald,	Sullivan, J. A.,
Davis,	Henzel,	McInroy,	Taylor,
Dengler,	Hocker,	McKeever,	Thompson,
Dennison,	Holl,	McLaughlin,	Tomasck,
Donaldson,	Holliday,	McNally,	Tompkins,
Dougherty,	Holman,	Meholchick,	Trusio,
Down,	Horst,	Merry,	Varner,
Edwards,	Irvis,	Miller,	Verona,
Eilberg,	Isaacs,	Mills,	Wall,
Elvey,	Jenkins,	Monroe,	Walsh,
Eshback,	Jim,	Morley,	Weidner,
Eshleman,	Johnson, A. W.,	Musto,	Welsh,
Esler,	Johnson, R. P.,	O'Dell,	Wescott,
Ewing,	Jones,	O'Donnell, J. A.,	Whittaker,
Farabaugh,	Kelser,	O'Donnell, J. P.,	Willard,
Fetterolf,	Kelly,	Odorisio,	Williams, A. D.,
Filo,	Kernaghan,	Ogilvie,	Williams, E. S.,
Fineman,	Kessler,	Parlante,	Wilt,
Flynn,	King,	Pashley,	Wood,
Foerster,	Kistler,	Perry,	Wynd,
Foor,	Klein,	Petrosky,	Yetter,
Fox,	Knecht,	Piper,	Zember,
Frascella,	Kooker,	Polaski,	Zimmerman,

NAYS—16

Bachman,	Gross,	Needham,	Shupnik,
Bossert,	Korns,	Pursley,	Stiteler,
Bower,	Munley,	Renwick,	Wargo,
Galley,	Murphy,	Rovansek,	Worley,

NOT VOTING—22

Ashton,	Guesman,	Murray,	Stone,
Blair,	Kamyk,	Prendergast,	Sullivan, T. F.,
Cauley,	Kornick,	Reidenbach,	Ujobal,
Cioffi,	McCormack,	Snare,	Willardt,
Doughten,	Mihm,	Steckel,	Andrews,
Greenlee,	Mullen,		Speaker

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, that the clerk inform the Senate accordingly.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1319, entitled:

An Act amending the Public Assistance Law" approved June 24, 1937 (P. L. 2051), defining "resident" and prescribing certain benefits for nonresident indigents and changing eligibility requirements.

On the question,

Shall the bill pass finally?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Welfare.

The motion was agreed to.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 1810, entitled:

An Act amending the act of June 19, 1911 (P. L. 1055), entitled "An act authorizing the release on probation of certain convicts instead of imposing sentences * * *" by further regulating the manner of sentencing of convicts and providing for their rehabilitation and release in certain cases.

On the question,

Shall the bill pass finally?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary.

The motion was agreed to.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. McCANN asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

The SPEAKER. The Chair recognizes the minority leader.

Mr. A. W. JOHNSON. Mr. Speaker, may I comment that never have so many been so wrong, this being the Democratic reapportionment bill.

Mr. HELM IN THE CHAIR

COMMITTEE MEETINGS

APPROPRIATIONS, Mr. Polen, Chairman, Room 245, Tuesday, August 8, at 11:00 a.m.

BANKING and BUILDING and LOAN ASSOCIATIONS, Mr. Parlante, Chairman, Room 131-A, Tuesday, August 8, at 12:00 noon.

EDUCATION, Mrs. Reibman, Chairman, Room 324, Tuesday, August 8, at 9:30 a.m.

LABOR RELATIONS, Mr. Wargo, Chairman, Room 131, Tuesday, August 8, at 11:00 a.m.

TOWNSHIPS, Mr. Flynn, Chairman, Room 131-A, Tuesday, August 8, at 11:30 a.m.

ALL TIMES ARE DAYLIGHT SAVING TIME.

BILL INTRODUCED AND REFERRED

By Messrs. MURRAY, McCANN, A. W. JOHNSON, THOMPSON and McKEEVER.

HOUSE BILL No. 1842.

An Act excepting civil defense facilities from State and local taxes; fixing the manner of certifying such facilities for tax exemptions; and imposing powers and duties on the State Council of Civil Defense, and certain county and other local officials.

Referred to the Committee on Rules.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 225.

An Act amending the act of June 1, 1959 (P. L. 350), entitled "Public School Employees' Retirement Code of 1959" further defining contributory service and further regulating contributions on account of past service.

Referred to the Committee on Appropriations.

SENATE BILL No. 238.

An Act amending the act of June 1, 1959 (P. L. 350), entitled "Public School Employees' Retirement Code of 1959" providing credit for school service for certain contributors who make additional contributions into the fund.

Referred to the Committee on Appropriations.

SENATE BILL No. 351.

An Act amending the act of April 12, 1951 (P. L. 90), entitled "Liquor Code" authorizing licensed establishments to sell until two o'clock antemeridian on Sundays.

Referred to the Committee on Liquor Control.

SENATE BILL No. 755.

An Act amending the act of July 8, 1941 (P. L. 298), entitled "Fourth Class County Retirement Law" increasing the optional minimum allowances.

Referred to the Committee on Counties.

SENATE BILL No. 811.

An Act amending the act of April 12, 1951 (P. L. 90), entitled "Liquor Code" removing the prohibition against Sunday sales of liquor or malt or brewed beverages by public service licensees.

Referred to the Committee on Liquor Control.

SENATE BILL No. 843.

An Act amending the act of April 18, 1949 (P. L. 512), entitled "Fiduciaries Act of 1949" increasing the amount of minor's estate which may be received, held or disposed of without the appointment of a guardian or the entry of security.

Referred to the Committee on Judiciary.

SENATE BILL No. 858.

An Act amending the act of May 11, 1921 (P. L. 522), entitled as amended "Dog Law of 1921" requiring a veterinarian's certificate stating that the dog has been inoculated or vaccinated against rabies or hydrophobia prior to issuance of a license.

Referred to the Committee on Agriculture and Dairy Industries.

SENATE BILL No. 861.

An Act amending the act of June 1, 1959 (P. L. 392), entitled "State Employees' Retirement Code of 1959" permitting beneficiaries to elect an option in cases where a contributor who is entitled to a superannuation retirement allowance dies before electing an option.

Referred to the Committee on Appropriations.

REPORT OF THE ANTHRACITE COMMITTEE

The SPEAKER laid before the House a communication together with the eighth report of the Anthracite Committee.

The communication was read by the clerk as follows:

June 26, 1961.

Honorable Hiram G. Andrews
Speaker of the House of Representatives
Harrisburg, Pennsylvania.

My dear Mr. Andrews:

There is respectfully submitted herewith the eighth report of the Anthracite Committee to The Honorable, The

Members of the General Assembly of the Commonwealth of Pennsylvania.

The report is filed in accordance with the provisions of an amendment of May 5, 1945, P. L. 432, to the Commerce Law of May 10, 1939, P. L. 111.

Yours very truly,
s/D. L. Corgan
Secretary

(For report, see appendix)

SENATE MESSAGE

RECALLING SENATE BILL No. 735 FROM GOVERNOR

The clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate August 1, 1961.

Resolved (the House of Representatives concurring), That Senate bill No. 735, printer's No. 855, entitled "An act amending the act of December 22, 1951 (P. L. 1726), entitled 'An act relating to the loyalty to the United States and the Commonwealth of Pennsylvania of public officers and employees, including teachers and other employees of the public school system and officers and employees of State-aided institutions of learning, requiring oaths or affirmations by applicants for public office or employment and by present appointed officers and employees, prohibiting appointment or employment and requiring discharges after hearing in certain cases; imposing conditions on the payment of appropriations to State-aided institutions of learning; requiring statements under oath or affirmation of candidates for elective public offices and imposing duties on State and local appointing authorities and certain other State officers,' excluding from the provisions of the act certain teachers who are citizens or subjects of foreign countries," be recalled from the Governor for the purpose of amendment.

Ordered, that the clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?
It was concurred in.

Ordered, that the clerk inform the Senate accordingly.

SENATE MESSAGES

The clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Amended Senate Bills non-concurred in by Senate, Nos. 67, 192 and 312.

Appointment of Conference Committee on Senate Bills Nos. 67 and 192 and House Resolution No. 62.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 238.

An Act amending "The Fish Law of 1959" approved December 15, 1959 (P. L. 1779), providing for the issuing of resident fishing licenses to persons sixty-five years of age or over and to certain disabled veterans.

HOUSE BILL No. 802.

An Act making an appropriation to the Department of Public Welfare for payment of grants to political subdivisions for juvenile delinquency programs.

HOUSE BILL No. 1081.

An Act amending the "State Employees' Retirement Code of 1959" approved June 1, 1959 (P. L. 392), providing for alternative methods of payments of benefits under certain conditions.

HOUSE BILL No. 1099.

An Act amending "The Insurance Company Law of 1921" approved May 17, 1921 (P. L. 682), requiring domestic mutual fire insurance companies conducting certain kinds of insurance to license their agents.

HOUSE BILL No. 1101.

An Act amending "The Insurance Company Law of 1921" approved May 17, 1921 (P. L. 682), subjecting domestic mutual fire insurance companies to the provisions thereof requiring approval of policies contracts or certificates of insurance by the Insurance Commissioner.

HOUSE BILL No. 1140.

An Act amending "The Borough Code" approved May 4, 1927 (P. L. 519), further regulating the division of boroughs into wards and the abolition of wards.

HOUSE BILL No. 1163.

An Act amending "The Insurance Company Law of 1921" approved May 17, 1921 (P. L. 682), requiring that policies of fire insurance issued by stock and mutual insurance companies associations and exchanges contain standard policy provisions herein prescribed.

HOUSE BILL No. 1273.

An Act amending the "State Employees' Retirement Code of 1959" approved June 1, 1959 (P. L. 392), providing a disability retirement allowance for disability incurred by officers and employees of the Pennsylvania State Police while engaging in law enforcement activities when not on active duty.

HOUSE BILL No. 1500.

An Act amending the act of June 11, 1935 (P. L. 326), entitled "An act relating to counties of the first class defining deceased service persons providing for contributions by the county to the funeral expenses for such persons and their widows providing for the erection and care of markers headstones and flags and for the compilation of war records" further regulating contributions made by county commissioners toward funeral expenses of deceased service persons and their widows.

HOUSE BILL No. 1566.

An Act amending the act of May 10, 1956 (P. L. 1569), entitled "An Act authorizing the City of Philadelphia to accept the conveyance under certain conditions of the site of Fort Mifflin" by the Commonwealth of Pennsylvania giving up its right of occupancy of Mud Island under certain circumstances and by granting rights of occupancy thereof to the City of Philadelphia.

HOUSE BILL No. 1609.

An Act to ascertain and appoint the fees to be received by the prothonotary of the court of common pleas of the Commonwealth in counties of the third class to provide the time of paying the same and to repeal certain acts.

With the information that the Senate has passed the same without amendment.

SENATE MESSAGE

AMENDED SENATE BILLS CONCURRED IN BY
SENATE

The clerk of the Senate being introduced, informed

that the Senate has concurred in the amendments made by the House of Representatives to Senate bills numbered and entitled as follows:

SENATE BILL No. 106.

An Act amending the act of August 5, 1941 (P. L. 803), entitled as amended "An act providing for the creation maintenance and operation of a county employes' retirement system in counties of the fifth sixth seventh and eighth class . . ." requiring the creation of a county retirement system in counties of the fifth and sixth class.

SENATE BILL No. 405.

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" further regulating suspensions of operators' licenses or learners' permits for violation of maximum speed limits.

SENATE BILL No. 456.

An Act amending the act of May 15, 1933 (P. L. 624), entitled as amended "Banking Code" changing certain provisions with respect to the payment of interest on deposits.

SENATE BILL No. 589.

An Act amending the act of May 22, 1933 (P. L. 912), entitled "Bakery Law" changing certain definitions further regulating marking and labeling conferring additional powers and duties on the Department of Agriculture and further regulating the sale and importation of bakery products.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 197.

An Act relative to Commonwealth printing establishing conditions upon which contracts will be awarded and prescribing remedies and penalties for noncompliance with such conditions.

HOUSE BILL No. 1083.

An Act amending the act of April 12, 1951 (P. L. 90), entitled "Liquor Code" providing for the issuance by the board of identification cards and changing penalties.

HOUSE BILL No. 1098.

An Act amending the act of May 17, 1921 (P. L. 789), entitled as amended "The Insurance Department Act of 1921" extending the provisions requiring the licensing of agents to include domestic mutual fire insurance companies and prescribing penalties.

HOUSE BILL No. 1174.

An Act relating to public works contracts providing for prevailing wages imposing duties upon the Secretary of Labor and Industry providing remedies penalties and repealing existing laws.

HOUSE BILL No. 1668.

An Act amending the act of June 29, 1953 (P. L. 304), entitled "Vital Statistics Law of 1953" requiring reports of deaths to be made to County Registration Commissions.

SENATE BILL No. 76.

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929" increasing the maximum number of officers and men in the aggregate in the Pennsylvania State Police and making editorial changes.

SENATE BILL No. 508.

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code" further defining disorderly conduct in order to protect passengers lawfully occupying any railroad railway elevated railway or subway passenger station bus terminal or platform.

SENATE BILL No. 509.

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code" prohibiting the use of railroad railway elevated railway for purchase of firearms and subway passenger station facilities by loiterers.

SENATE BILL No. 529.

An Act amending the act of December 27, 1951 (P. L. 1742), entitled as amended "The Realty Transfer Tax Act" excluding from taxation transfers of property between divorced spouses.

SENATE BILL No. 583.

An Act amending the act of May 27, 1949 (P. L. 190), entitled "The Military Code of 1949" removing the exemption of certain persons from jury duty.

SENATE BILL No. 751.

An Act amending the act of April 18, 1929 (P. L. 612), entitled "An act for the election of the president members of town council and auditors in incorporated towns of the Commonwealth . . ." redesignating the president of the town council as the mayor.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGE

AMENDED SENATE BILL NON-CONCURRED IN BY SENATE

The clerk of the Senate being introduced, informed that the Senate has non-concurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows:

SENATE BILL No. 104.

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" granting the power to the Secretary of Highways to establish speed limits.

And has appointed Messrs. WEINER, YATRON and BERGER a committee of conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the difference existing between the two Houses in relation to said bill.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its amendments non-concurred in by the Senate to Senate Bill No. 104 and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON SENATE BILL NO. 104

The SPEAKER pro tempore. The Speaker has appointed as a Committee of Conference on the part of the House, Messrs. DOUGHERTY, PETROSKY and A. W. JOHNSON.

Ordered, that the clerk inform the Senate accordingly.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos. 155, 360, 395, 519, 722, 806, 880, 948, 1195, 1196, 1294, 1331, 1394, 1403, 1451, 1533, 1595 and 1794.

Commonwealth of Pennsylvania
Governor's Office, Harrisburg
July 26, 1961.

To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 155, printer's No. 155, entitled "An Act to validate certain proceedings for municipal improvements municipal assessments municipal claims and municipal liens in the several cities of the third class boroughs and townships of this Commonwealth and validating such improvements assessments claims and liens providing for the filing of claims and liens therefor and the proceedings for the collection of such assessments claims and liens."

DAVID L. LAWRENCE.

July 26, 1961.

To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 360, printer's No. 397, entitled "An Act amending the act of April 12, 1951 (P. L. 90), entitled 'Liquor Code' authorizing persons to bring into Pennsylvania limited amounts of untaxed liquor under limited circumstances."

DAVID L. LAWRENCE.

July 26, 1961.

To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 395, printer's No. 432, entitled "An Act relating to the satisfaction of mortgages in counties of the second third fourth fifth sixth seventh and eighth class by the recording of a satisfaction piece prescribing forms therefor and fixing fees for the recording thereof."

DAVID L. LAWRENCE.

July 28, 1961.

To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 519, printer's No. 2419, entitled "An Act amending the act of April 29, 1959 (P. L. 58), entitled 'The Vehicle Code' authorizing the use of chemical tests to determine intoxication of persons operating motor vehicles authorizing and making the results of the chemical tests admissible in evidence."

DAVID L. LAWRENCE.

July 26, 1961.

To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 722, printer's No. 2371, entitled "An Act amending the act of March 10, 1949 (P. L. 30), entitled 'An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto' by further providing for the termination of contracts of professional employees."

DAVID L. LAWRENCE.

August 4, 1961.

To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 806, printer's No. 879, entitled "An Act making an appropriation to the City of Harrisburg, Pennsylvania."

DAVID L. LAWRENCE.

July 26, 1961.

To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 880, printer's No. 2011, entitled "An Act amending the act of May 15, 1933 (P. L. 624), entitled as amended 'Banking Code' changing provisions governing the change of the place of business of a branch the period of public notice for the discontinuance of a branch and the provisions relating to honorary directors directors emeritus and members of advisory boards providing for the entry or recording of installment loans for additional security authorizing and limiting the purchase of certain property and of stock in certain corporations organized for the purpose of providing data processing facilities authorizing the payment of cash in whole or in part to shareholders of capital stock in institutions participating in a merger or consolidation."

DAVID L. LAWRENCE.

July 26, 1961.

To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 948, printer's No. 1049, entitled "An Act amending the act of June 24, 1939 (P. L. 872), entitled 'The Penal Code' prohibiting the purchase acceptance receipt or possession of starter pistols or similar pistols by minors and revising exemptions under this act."

DAVID L. LAWRENCE.

August 4, 1961.

To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 1195, printer's No. 1367, entitled "An Act making an appropriation to the Department of Health for certain capital improvements in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources."

DAVID L. LAWRENCE.

August 4, 1961.

To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 1196, printer's No. 1368, entitled "An Act making appropriations to the Department of Public Welfare for certain capital improvements in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources."

DAVID L. LAWRENCE.

July 26, 1961.

To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 1294, printer's No. 1953, entitled "An Act amending the act of May 28, 1915 (P. L. 587), entitled as amended 'An act to protect the public health by regulating and licensing the manufacture preparation handling storage sale transportation and possession of meat meat-food products and poultry and pre-

scribing the powers and duties of the Department of Agriculture incidental thereto' excepting from licensing requirements those persons dealing in or handling CEMENTAIN canned meat which does not require refrigeration."

DAVID L. LAWRENCE.

July 26, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 1331, printer's No. 2308, entitled "An act authorizing the Department of Highways with the approval of the Governor to construct a highway and to erect and maintain a bridge over the Schuylkill River in Montgomery County between a point in the Borough of Norristown and a point in the Borough of Bridgeport or a township adjacent thereto and to provide the necessary approaches and connections with State highways empowering the county to pay certain damages and making an appropriation therefor."

DAVID L. LAWRENCE.

July 26, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 1394, printer's No. 1830, entitled "An Act amending the act of May 1, 1933 (P. L. 102), entitled 'A supplement to the act approved the second day of June one thousand nine hundred and fifteen (Phamphlet Laws seven hundred sixty-two) entitled 'An act providing for the creation and administration of a State Fund for the insurance of compensation for injuries to employes of subscribers thereto declaring false oaths by the subscribers to be misdemeanors and providing penalties for the violation thereof' providing for the examination and audit of the State Workmen's Insurance Fund by the Insurance Department and appropriating the moneys in the fund for the payment of the cost of such audit and examination' clarifying the responsibilities of the Insurance Commissioner for inspection and examination of the State Workmen's Insurance Fund and changing the period for such inspection and examination."

DAVID L. LAWRENCE.

August 4, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 1403, printer's No. 1673, entitled "An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey .78 acres more or less of land situate in the Borough of East Stroudsburg Monroe County."

DAVID L. LAWRENCE.

July 26, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 1451, printer's No. 2171, entitled "An Act amending the act of August 5, 1932 (P. L. 45), entitled 'An act empowering cities of the first and second classes to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced' requiring the State Treasurer and other State officials to deduct the tax imposed by any first class city upon salaries wages and other compensation paid to officers and employes of the Commonwealth domiciled or performing services within that city and to make a return and remit

the tax so deducted to the revenue commissioner of such city."

DAVID L. LAWRENCE.

July 26, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 1533, printer's No. 1899, entitled "An Act to protect the public of the Commonwealth against vendors who misleadingly present their products as having been made by the blind and to prevent misleading use of the word blind in titles of organizations offering products for sale and providing penalties."

DAVID L. LAWRENCE.

July 26, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 1595, printer's No. 2476, entitled "An Act amending the act of June 24, 1937 (P. L. 2051), entitled AS AMENDED 'Public Assistance Law' further defining assistance to include certain dependent children and medical care for the aged and those persons eligible therefor and prescribing procedures requirements and penalties incidental thereto."

DAVID L. LAWRENCE.

August 4, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 1794, printer's No. 2367, entitled "An Act amending the act of April 29, 1959 (P. L. 58), entitled 'The Vehicle Code' making a correction for a typographical error."

DAVID L. LAWRENCE.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

VETO OF HOUSE BILL No. 1284.

Commonwealth of Pennsylvania
Governor's Office, Harrisburg

July 28, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I return herewith, without my approval, House bill No. 1284, printer's No. 1481, entitled "An Act amending the act of May 4, 1927 (P. L. 519), entitled 'An act concerning boroughs and revising amending and consolidating the law relating to boroughs' authorizing ordinances and certain resolutions to be in force after attachment to the borough ordinance book and validating certain borough records."

This bill would amend Sections 1008 and 1009 of the act of May 4, 1927 (P. L. 519) as amended, known as the "Borough Code." Its purpose is to permit ordinances or resolutions of a legislative character to be attached to the ordinance book by stapling or by glue or any other adhesive substance before such legislative action would be considered in force. Presently, the Borough Code requires that such ordinances or resolutions be recorded in the ordinance book.

The bill in effect seeks to ease the task of borough secretaries who are required to record such ordinances in an ordinance book. With the advent of voluminous codes such as zoning codes and building codes, the physical copying thereof may seem impractical and inefficient.

However, the very existence of such codes and a multitude of other councilmanic enactments is indicative of the growth in the home rule philosophy of government and

while all means to effect more efficient operations on the local level are desirable, it becomes imperative more than ever, that a permanent record of such enactments be scrupulously maintained for the benefit of the public.

It must be pointed out that the choice is not between this bill and recordation in longhand since the law presently provides that the records may be "typewritten, printed, photostated or microfilmed."

Because of the risk of loss of the basic law of the community through the deterioration of adhesive materials and the impermanence of stapled entries, it is not in the public interest to permit the compilation of ordinance books as provided for in this bill.

This bill would go further and validate all past actions performed in the new manner prescribed in the bill. To condone such illegal actions on the part of borough officials is unthinkable.

For these reasons, the bill is not approved.

DAVID L. LAWRENCE.

The SPEAKER pro tempore. The communication and bill will lie on the Speaker's table.

RESOLUTION

APPRECIATION

Mrs. MARKLEY, Messrs. McCANN, A. W. JOHNSON and J. A. O'DONNELL offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and unanimously adopted as follows:

In the House of Representatives, August 7, 1961.

On August 15, 1961 the Commonwealth of Pennsylvania will be losing the services of one of its most faithful public servants for on that day Attorney Harrington G. Adams' resignation as Deputy Attorney General will become effective.

Mr. Adams, who resides in Bethlehem, is an outstanding example of the career people who form the backbone of the State government and survive shifts of political control. Harrington started with the State in 1939 and since that

time he has served under four Republican Governors and two Democrats. During his span in the Justice Department he has been named Acting Attorney General no less than three different times and by three different Governors.

The significant point about Adams' service to the State is found in his role as a bridge between administrations. Within the government structure there are many like him who survive exercise of the spoils system because even the most political-minded executive knows the need for a continuity of some sort to prevent a completely chaotic condition when political turnover is taking its toll.

The people of Pennsylvania should be thankful that we have such fine spirited public citizens who are willing to devote their talents to the populace; therefore be it

Resolved, That the House of Representatives of the Commonwealth extend its heartfelt thanks and deep appreciation for a job well done by Harrington G. Adams; and be it further

Resolved, That we wish him the best of luck in his retirement; and be it further

Resolved, That a copy of this resolution be forwarded to Deputy Attorney General Harrington G. Adams in the Justice Department.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. CAPANO asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

BILLS AND RESOLUTIONS PASSED OVER

Mr. McCANN. Mr. Speaker, I request that all other bills and resolutions not acted upon at today's session be passed over.

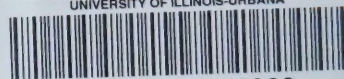
The SPEAKER pro tempore. The Chair hears no objection.

ADJOURNMENT

Mr. ARLENE. Mr. Speaker, I move that this House do now adjourn until Tuesday, August 8, 1961, at 12 o'clock noon, e.s.t.

The motion was agreed to, and (at 4:37 p.m., e.s.t.) the House adjourned.

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